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THE POLITICAL AND SOCIAL THOUGHT OF

THOMAS PAINE 1737-1809

by

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ABSTRACT

The aims of this study are to elucidate and present systematically the main themes of Paine's political and social thought by means of a comprehensive analysis of all his writings; to investigate the foundations of, developments in, and interconnections between these themes, and to point out their main limitations. These aims are explored after reviews of, (1) commonly held beliefs about Paine, which are shown to be based on superficial acquaintance with his writings, and (2) of specific studies of his thought the disagreements between which are shown to involve more than reflections of inconsistencies in Paine's own writings.

Commencing with an account of Paine's favourable view of human nature and his idea of universal justice, the study presents as fundamental his religious thought - his belief in a benevolent God - in the context of a discussion of competing Quaker and Newtonian Deist interpretations neither of which is satisfactory.

An examination of Paine's ideas of a fairly orderly state of nature, of equal natural rights, and of the origin of government in a social compact, helps us to understand his beliefs in the need for government, and about the purposes of government and its relationships to society; and we see that he did not view governments as responsible for all social evils. Paine's model of republican government is then considered and it is seen to involve more than just the absence of monarchy: it has both moral foundations and involves a view of an appropriate constitutional form. These and their significance for popular sovereignty and political participation are discussed in relation to the question why Paine did not see electoral despotism as a problem.

Paine gave moral sanction to revolution when it was necessary for introducing republican government. It is next shown why, and to what extent, he failed to take actual circumstances adequately into account before welcoming political reform.

The origins and development of Paine's social welfare proposals are next traced, and his idea of social justice is found to be not inconsistent with, but rather an extension of, his earlier moral and political beliefs, even though it involved him in advocating an increased scope for government. He is shown to have emphasised as important the roles of religion and education, and to have envisaged improvements in international relations through the operation of commerce and the establishment of republican governments and international institutions. It is also shown that, far from desiring a return to a simpler form of society, he supported progress, and that his idea of progress did not involve a belief in perfectibility.

This study does not furnish a biography of Paine, investigate in detail the external influences upon his thought, or examine his historical importance and literary style. It does, however, point to comparisons and contrasts between Paine's ideas and the ideas of other thinkers of his time, and it includes a list, and summaries, of his main writings, along with a note on his reading which, with a date-chart of his life, suggests that he was more knowledgeable than has often been supposed.

It is concluded that Paine, although not a great political or social thinker, nor an entirely consistent or complete thinker, presented a not wholly unoriginal system of ideas which, because not expressed in any one work, has not been fully recognised. By reference to this system of ideas, some discrepancies in previous accounts of his thought are clarified, and some neglected aspects of his thought elucidated.

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NOTES, REFERENCES AND APPENDICES

I. Notes and References

Notes are placed at the end of each chapter. A footnote on the first page of each chapter gives the numbers of the pages on which the notes appear.

In order to reduce the number of footnotes, page references to works cited, when not requiring further comment, are included in the main text. Except for references to the separate works of Paine, references are given by citing, instead of author and title, the number allocated to the work referred to in the Bibliography at pp.305-316 below, and their relevant page number(s). Thus, the first reference given in the introduction, p.1 - (22), p.48) - is to the Cambridge History of English Literature, Cambridge, (University Press), 1932, vol.xi, ch.ii by C.W.Previté-Orton, p.48.

References to works of Paine other than those in the main edition of his writings used, are given on the same method.

References to the main works of Paine employ, along with the above method, the following abbreviations :

A.D.	<u>Address and Declaration</u> (1791)
A.F.2	'Answer to Four Questions on the Legislative and Executive Powers' (1792)
A.J	<u>Agrarian Justice</u> (1797-9)
A.M.E.	'Anti-Monarchical Essay for the Use of New Republicans' (1792)
A.R.I	<u>The Age of Reason I</u> (1794)
A.R.II	<u>The Age of Reason II</u> (1796)
A.S.A	'African Slavery in America' (1775)
C.C.R	'Candid and Critical Remarks' (1777)
C.G.C	<u>Constitutions, Governments and Charters</u> (1805)
C.O.E	<u>Case of the Officers of Excise</u> (1772)
C.P.I-XIII	<u>Crisis Papers</u> (1776-1783)
C.R	<u>Constitutional Reform</u> (1805)
C.S	<u>Common Sense</u> (1776)

C.S.I	Convention Speech: On the Propriety of Bringing Louis XVI to Trial (1792)
C.S.II	Convention Speech: Reasons for Preserving the Life of Louis Capet (1793)
C.S.III	Convention Speech: Should Louis have Respite, (1793)
C.S.IV	Convention Speech: On the Constitution of 1795 (1795)
D.F	<u>Decline and Fall of the English System of Finance</u> (1796)
D.F.P	<u>Dissertation on First Principles of Government</u> (1795)
D.G	<u>Dissertations on Government; the Affairs of the Bank; and Paper Money</u> (1786)
E.G	'The Existence of God' (1797)
E.P	<u>An Examination of the Passages in the New Testament</u> (1807)
F.L	'Forester's Letters' (1776)
L.A	Private Letter to Samuel Adams (1st Jan.1803)
L.A.A	<u>Letter Addressed to the Addressers</u> (1792)
L.A.C I-VIII	Letters 'To the Citizens of the United States' (1802-3)
L.A.R	'Letter to the Authors of <u>Le Républicain</u> (1791)
L.B.I-X	Letters 'On the Bank of North America' (1785-87)
L.E	A Letter to Mr.Erskine (1797)
L.J	Private Letter to Jefferson (early 1788)
L.R	<u>Letter to Raynal</u> (1782)
L.R.I.I-V	Letters 'To the Citizens of Rhode Island' (1782-83)
L.T	Private Letter to A.C.Thibaudeau (6th June 1795)
L.W	'Letter to Washington' (1796)
M.A	'The Magazine in America' (1775)
P.G	<u>Public Good</u> (1780)
P.N.F.I-III	'Peace, and the Newfoundland Fisheries' (1779)
P.P	'Prospect Papers' (1804)
P.R	<u>Prospects on the Rubicon</u> (1787)
R.L	'Reply to the Bishop of Llandaff' (1810)
R.M	<u>Republican Manifesto</u> (1791)

R.M.I	<u>Rights of Man I</u> (1791)
R.M.II	<u>Rights of Man II</u> (1792)
J.A.L. I-IV	'Serious Address Letters' (1778)
T.F.I	'To the French Inhabitants of Louisiana' (1804)
M.C.B	<u>Letter to Camille Jordan: Worship and Church Bells</u> (1797)
18th.F	The Eighteenth Fructidor (1797)

Except where stated otherwise, the edition of Paine's writings referred to is The Complete Writings of Thomas Paine, ed. Philip Foner, in two volumes, (Bibliography, item 1), and so only the volume number will be given in references to it. Thus the first Paine reference in the Introduction, p.1 below-(C.P.I, I, p.50)-is to Crisis Paper No.I, in Foner, vol.I, p.50.

II. Appendices

Because the aim of this study is to elucidate the main themes of Paine's political and social thought, no biographical detail has been included in the text. The general outlines of Paine's life are familiar to most students of the history of political thought and, as is evident in the Bibliography, several biographies are available. However, for convenience of reference, a chronological summary of Paine's career, including references to his acquaintances, is given in Appendix A, and this is set out in relation to a list, inset, of some major events of the time that are relevant to Paine's activities and writings.

Similarly, several of the main themes at least of his more commonly referred-to works, such as Common Sense and Rights of Man, are quite well-known, and so summaries of these, and of his other works are not included in the main body of the study which, in any case, is concerned to show that the interpretation of Paine's thought requires a considerable amount of cross-reference between the different works. No one of his works definitively epitomises his thought, and, indeed, certain important aspects of his thought are nowhere set out systematically and have to be pieced together

from fairly scattered references. But again, for convenience, a chronological list of the main writings is given, in Appendix B, and short summaries of the subject-matter of the works of most relevance for this study are given in Appendix C.

It seemed worth while to include a discussion of Paine's reading, especially as it would appear on examination that he was in fact better read than he has often been made out to have been. Once again, however, this seemed to be a topic that stood apart from the main concern of the study, and it too, therefore, has been dealt with in an Appendix, (D).

INTRODUCTION *

Thomas Paine is well-known because of the fame of his writings and of his active participation in several important historical events. Typical estimations of him are that in the Cambridge History of English Literature which holds that he was "a prince of pamphleteers", (225 p.48) and that of Laski: "on a long view, he appears, with the possible exception of Marx, the most influential pamphleteer of all time..... if immediate influence be counted, his primacy in this field is unchallenged" (128 p.116).

Having left England for the American Colonies in 1774, at the age of thirty-seven, Paine established his, perhaps, most generally acknowledged claim to fame, upon the undoubtedly great impression made in the colonies by his pamphlet Common Sense, published in January 1776. Many contemporary witnesses, from George Washington in America to Edmund Burke in Britain, attributed a great movement in popular sentiment to Common Sense and to its arguments against a continuing colonial attachment with Britain, and for a republican political system (1). According to the literary historian of the American revolution, Moses Tyler:

"Suddenly, however, and within a period of less than six months, the majority of the Whigs turned completely around, and openly declared for Independence, which, before that time, they had so vehemently repudiated. Among the facts necessary to enable us to account for this almost universal political somersault, is that of the appearance in January 1776 of the pamphlet entitled Common Sense" (168, vol.1 p.462, c.f. ibid pp.471-4).

It should be pointed out, however, that there is disagreement about the precise nature of the role performed by the pamphlet; over whether it was an original expression of ideas, or whether it was merely an open publication of beliefs already largely held by educated colonists in private, and the clear formulation and bold presentation of opinions already acceptable to much of the general populace. It was said, for instance, by John Derry that "Paine expressed what many men were already thinking, but which few had thoroughly thought out or publicly affirmed. He gave articulate form to

* Notes and references, pp.21-22.

the convictions which men were slowly recognising in the depths of their own minds". (195, p.8). Thus, while George Trevelyan believed that "It would be difficult to name any human composition which has had an effect at once so instant, so extended, and so lasting", as Common Sense (167, vol.1, p.150), he also considered that the pamphlet was "the voice, not the creator, of popular opinion" (ibid, p.162).

Paine's American reputation as a journalist was subsequently heightened by his war-time Crisis Papers, the first of which opened with the famous line: "These are the times that try men's souls" (I, p.50). Reiterating arguments against reconciliation with Britain, the Crisis Papers have often been judged to have raised revolutionary morale in times of despair (168, pp.37-49).

Paine left America for Europe in 1787, and he then travelled frequently between France and Britain until September 1793, from which time he stayed in France until his return to America in 1802. His activities in Britain, resulting in his being officially outlawed from that country, are memorable because of the great popular enthusiasm which greeted Rights of Man, published in two parts in 1791 and 1792, as a radical reply to Edmund Burke's Reflections on the Revolution in France. For T.W.Copeland, for instance, "the great controversy in which Burke and Paine were the principal antagonists was perhaps the most crucial ideological debate ever carried on in English". (194, p.148). Besides attacking the British constitution and monarchy, and elaborating republican principles, Rights of Man Part II detailed a programme of public welfare measures. Many historians have agreed with G.D.H.Cole's assessment of the permanent legacy of Rights of Man; "To Paine belongs the credit....of setting on foot the first unmistakable movement for working-class radicalism in England" (193, p.29). According to Edward Thompson, for instance, Rights of Man was a "foundation text of the English working-class movement" (207, p.90), and for Kingsley Martin, Paine's

influence on the working-class was "perhaps, on the whole, greater than that of any single revolutionary writer in nineteenth-century England" (101, p.3). However, having the advantage of being disseminated by popular organisations whose own growth was stimulated by the influence of Rights of Man, Paine's publications in England served, along with the French revolution, to delay the modest Parliamentary reforms which, until 1791, had not been too remote a possibility. It was its long term effect, of generating political consciousness in the populace, that made Rights of Man so significant historically.

Paine's support for republicanism during the French Revolution, and the controversy aroused in Britain and America over his anti-Christian work The Age of Reason, have also contributed towards certain generally-held, stylised ideas about him. For the purpose of assessing his destructive influence, however, it might be pointed out that the Deistical The Age of Reason possibly proved, in causing religious reaction, to be a setback for the hitherto gradual, but significant, progress of Deism in America. H.Mumford Jones believed that "Deism came to its first great stumbling-block in the works of Tom Paine" (154, p.406). Moreover, Kingsley Martin considered that the Nonconformist working-class in Britain also rejected Paine's ideas about the state regulation of property, because they associated socialism with infidelity (101, p.21).

Several other writings of Paine had considerable immediate impact, or aroused continuing controversies, and one of the main Paine scholars, Alfred Aldridge, concluded that, from the point of view of effective propaganda, his most successful work on an international scale was The Decline and Fall of the English System of Finance (99, pp.369-83) which, published in 1796, prophesied the bankruptcy of Britain. Aldridge

also believed that in Germany, France and some Latin American countries, Common Sense actually prepared the minds of the people and created an atmosphere comparable to that which had already existed in the American colonies when it was published there. (2)

Paine has been a figure of continuing historical interest, not only in the three countries with which he was most closely associated, but also internationally, in countries as diverse as Germany and the Soviet Union. But serious attention paid to him has been conditioned by emphasis on his role of journalist, by the view that "if Paine attained any real distinction, it was in his mastery of brilliant style and a native ability to state his case with clarity and force." (126, p.262). When appraised as a political thinker, Paine has been approached with his historical record very much in mind, and interpretations of his thought have very often consisted of general impressions. These have been based on an inadequate reading of his writings, selected according to the criterion of popular impact and according to preconceptions held about Paine's thought formed from what was known of his activities and of the contemporary reaction to his writings. Consequently, apart from George Sabine's A History of Political Thought, there are nearly always references to Paine in general works on the history of political thought. These usually include quotations from certain passages in Common Sense and Rights of Man which are held to be archetypal of basic liberal beliefs that were expressed in more sophisticated language by many other more serious thinkers. There is, however, a wide discrepancy between the ubiquitous mention of Paine, and detailed study of all of his writings. He has repeatedly been seen as a good journalist, and his insight into the not very clearly formulated thoughts of others, and the simplified and forceful expression of his ideas, have been praised. But, as a political thinker, he has been treated by general

historians as shallow, inconsistent and unoriginal. For William Dunning, "Paine was indeed primarily and essentially an agitator and a pamphleteer" (229, p.402), for Derry, "he too often assumed that the thought as distinct from its expression, was exclusively his own", (195, p.12), and for Charles Merriam, "Paine cannot be classed as a great political thinker, his theories had been marked out before and better by others. Paine was not a philosopher but an agitator. The source of his power is found in his rare faculty for popular statement of radical political ideas" (131, p.402).

The first step towards a reassessment of Paine's thought must be to consider whether a distinction can be made between those of his writings which were largely concerned with ephemeral or local causes and issues, and those which might be designated abstract works of political thought, presenting a coherent discussion of ideas and principles of lasting interest and importance. Given the nature of the content, and intent, of Paine's writings, distinctions between them must to some extent be arbitrary, and a relevance for political thought cannot be excluded from the first category of writings. Furthermore, on an internal analysis of many individual works, one finds a third group of writings which, although they originated in specific issues, discuss matters of wider and more abstract significance. This basic, if somewhat imprecise, three-fold classification is applied to the chronological list of Paine's main writings in Appendix B below. Such an attempt at classification has until now been obscured by the general acceptance of the view that Paine was merely a journalist, although Alfred Aldridge questioned this belief that Paine's great influence came as a result of his journalistic style - the compelling manner in which he wrote, and thought that "It is worthy of considering whether his matter may not also have been universally appealing..... the sense of finality, of an approach to the absolute communicated by his notion of first principles." (73, p.332).

Paine should not be seen as a propagandist in the debased twentieth-century sense of the word, which implies biased presentation of fact and the use of techniques designed to manipulate popular ignorance and emotions. He was an open supporter of certain causes, the most important of which, for him, was the cause of republicanism which he hoped to see accepted and adopted. Successful propaganda required the stimulation of an audience, the provocation of reflection upon society and government, and the reasoned presentation of republican ideas and arguments, and so he has been called by Hansen "the agent of popular education in the principles of democracy" (150, p.40). Paine was a propagandist because his humanitarianism demanded that beliefs be presented for the purpose of some practical benefit to mankind, rather than that they be the concern of self-indulgent debate among the few, unconcerned with the realities of the many. It is this outlook, rather than ignorance or egoism, that explains his account of the writings of, for instance, Locke, Rousseau and Raynal, as too speculative (3). Paine's own idea of his role was that he appealed to the "common floor of citizenship", (L.A.C I, II, p.912), that he must seek to give people a new dignity and self-respect and to enlighten them with true ideas about government and religion.

As in my political writings my motive and object have been to give man an elevated sense of his own character, and free him from the slavish superstitious absurdity of monarchy and hereditary government, so in my publications on religious subjects my endeavours have been directed to bring man to a right use of the reason that God has given him, to impress on him the great principles of divine morality, justice, mercy and a benevolent disposition to all men and to all creatures, and to inspire in him a spirit of trust, confidence and consolation in his creator. (E.P II, p.950).

Thus Paine's aim was not to be a great political thinker, but to be a servant of mankind, a spokesman for justice and humanity, and this aim did not of itself demand the logical rigour of a learned treatise - indeed, Henry Brailsford believed that his writing "gains rather than loses in theoretic interest, because the warmth of his sympathies melts, as he

proceeds, the icy logic of his eighteenth-century individualism" (191, pp.171-2)

The practical bent of Paine's writings, and perhaps to a considerable degree their impact, followed from his strong conviction of the justness, and urgency, of what he had to say; "I speak a language full and intelligible. I deal not in hints and intimations.... First, that I may be clearly understood. Secondly, that it may be seen that I am in earnest; thirdly, it is an affront to truth to treat falsehood with compaisance" (E.P, II, p.881).

Furthermore, Paine often rejected the pecuniary returns from the sale of his writings, as a matter of principle, although he did, in desperation, seek in the mid-1780s the rewards which he thought the American States' and national governments should willingly grant him for his past disinterested service to the revolutionary cause. However, in the isolated cases in which he was financially encouraged to write on a specific issue he demanded, and exercised, complete freedom in his treatment of the subject matter (4).

Paine has been seen as "a first class journalist and pamphleteer rather than systematic thinker", by Wilfrid Harrison (198, p.128), and as being "not as concerned with writing a complete philosophy as in securing results in specific instances" (136, p.244). But, on the other hand, the achievement of the particular cause of republicanism demanded, for Paine, the presentation of a reasoned formulation of his ideas. The validity of the proposition that certain of his writings have a general and continuing interest, and are worth studying now, cannot be denied by pointing to the propagandist prupose of his writing, especially as his confidence in the power of the press derived from the popular impact made by the more ephemeral parts of Common Sense and the Crisis Papers. (C.P.XIII, I, p.235, & II, p.1232). Furthermore, the fact that Paine's thoughts were stimulated by the immediate social and political environment, and were published in accordance with an acute sense of the time and place most appropriate for the desired effect, should not be allowed to create the misleading impression that his ideas were no more than derivatives of, and were no more than adapted to, practical considerations, but should,

rather, indicate a need to construct the coherent system of ideas that lies diffused throughout his writings. Thus, although Paine, in a letter to Jefferson in 1805, suggested that, in a collected edition, each of his political works should be "accompanied with an account of the state of affairs at the time it was written which will also show the occasion of writing it" (II, p.1460), he coupled with his stated indifference to publishing in Britain in 1802 the belief that "you cannot alter the nature of things truth is truth. Though you may not think that my principles are practicable in England, without bring^g a great deal of misery and confusion, you are, I am sure, convinced of their justice" (81, p.196).

The questioning of certain general preconceptions about Paine that has been undertaken so far, should help to explain why some people have found it worthwhile to devote attention specifically to Paine as a political and social thinker (5). However, not only is such attention characterised by a lack of comprehensive analysis of the full corpus of his works and the full range of his thought, but also there are discrepancies and inconsistencies between the interpretations, which amount to more than just a reflection of confusion or incoherence in Paine's writings. These features can be illustrated by a review of Paine studies, which may also suggest some problems of interpretation, and some points of interest and possible developments in his thought which would merit further study.

The first serious attention paid to Paine as a thinker, by Moncure Conway in his biography and his edition of the writings, defended Paine against a popular view, prevalent especially in America, that he was, in Theodore Roosevelt's words, "a filthy little atheist" (132, p.228). Basing his interpretation both on the evidence provided by Paine's upbringing, and on the writings, Conway asserted that Paine's thought derived from Quaker beliefs, so that "his whole political system is explicable only by his theocratic Quakerism" (76, p.94)

Paine's political principles were evolved out of his early Quakerism....The belief that every human soul was the child of God and capable of direct inspiration from the Father of all, without mediator or priestly intervention, or sacramental instrumentality, was fatal to all privilege and rank. The universal Father had implied universal Brotherhood, and human equality. But the fate of the Quakers proved the necessity of protecting the individual spirit from oppression by the majority as well as by privileged classes. For this purpose, Paine insisted on surrounding the individual right with the security of the Declaration of Rights, not to be invaded by any government. (2, vol.II, p.262).

Widespread scholarly interest in Paine's thought did not emerge until the 1930s. It arose in America where it was perhaps stimulated by a search for a rationale for the 'New Deal' in the light of Paine's apparent combination of political and social radicalism. A comprehensive analysis of Paine's thought was made by Harry Hayden Clark, in an application to Paine of the belief of Carl Becker that enlightenment thought in general was founded on one premise:

there is a 'natural order' of things designed by God for the guidance of mankind; that the 'laws' of this natural order may be discovered by human reason; that these laws so discovered furnish a reliable and immutable standard for testing the ideas, the conduct and the institutions of men (143, pp.26-7, c.f. 173, p.694).

Clark believed that Paine had an integrated system of ideas about society, politics, economics, education, humanitarianism and also on literary theory, the whole of which derived from certain basic assumptions of the Newtonian, or scientific, Deism which Clark suggested, in several articles, was Paine's religion. (113, 114, 115, 116). A similar line of interpretation was applied by others to the thought of Paine's friend, Franklin (160). Apart from providing an alternative to Conway's version of the religious origin of Paine's thought, a significant result of Clark's interpretation was its denial of the traditional view of Paine as an advocate of disobedience to authority, of lawlessness and disorder. Paine has been seen as "essentially a rebel" who "hates control, restraint, limit, demands and delights in the free abundant exercise of his own will" (223, p.53) - "even

greater than his delight in his own verbal achievements, was his true rebel's delight in destruction". (ibid p.81, c.f. p.53, p.62, p.65).

According to Clark, however, once the meaning of 'nature' in scientific Deism was understood correctly, Paine's idea of progress would be seen to be one in which it was viewed as an increasing disciplined conformity to the universal and eternal cosmic laws of nature:

the Newtonian and Paine mean, when they appeal to nature, vastly more than the original chaos of the pathless wilderness or a supine surrender to the capricious dictates of a savage appetite. 'Usually, nature meant to them harmony, law and order': and hence an appeal to nature can scarcely be interpreted as an appeal to anarchy . (95, pxx)

Thus Newtonianism, as interpreted by Paine, involved discipline and order just as did Calvinistic Federalism in America, or Anglican Toryism in England (ibid, p.xxi).

Most subsequent students of Paine have accepted Clark's interpretation, and they have, in particular, elaborated on the similarities, and the dissimilarities, between Quaker and Deist beliefs, and explained why Paine should be allocated to the Deist category (97, 102, 120, 121). They have, however, been some significant, if inadequately discussed, suggestions that Clark, while providing a valuable corrective to Conway's account, did not provide a complete understanding of Paine's thought. For Foner: "Although Professor Clark had made a great contribution to the study of Paine in revealing the Newtonian influence on his thought, he has erred in the same manner that Conway did by overemphasizing this influence" (1, vol.I, p.x). Points can be raised about the views of God, nature and human nature which were at the basis of Paine's social and political thought. An assessment of Clark's views requires a careful analysis of Paine's writings, in particular, of the role of reason with respect to moral values and behaviour, and of the view of Nursey-Bray that "much confusion flowed from Paine's ethical theory, or rather his lack of one.

In his thought there are no explicitly stated ethical principles" (103, p.128). These questions, and the general importance of Paine's religious presuppositions for his political thought, are discussed in chapter one of the present study.

Most of the substantive study of Paine, other than that by Clark and by those seeking to check Clark's study, has tended to be concerned with specific ideas in Paine and particular aspects of his thought. Many historians of political thought have seen Paine as a typical adherent of the eighteenth-century enlightenment faith in the natural reason and altruism of individual man, and they have held in conjunction with this belief, and with the Deistical interpretation, the view that for Paine all evil in society must have been the direct result of corrupt and corrupting institutions. Revolutionary change and the establishment of new governments should thus solve the problem of social evil. The attribution of this belief to Paine has been extended by Mursey-Bray to the suggestion that Paine moved from an earlier distrust of all government to a faith in the humanising power of representative government (103, p.134). Representative government was "not the most bearable form of an unfortunately necessary mechanism, as democracy was for Godwin, but the best possible type of human institution, possessing its own intrinsic value" (134, p.228). However, a continuing criticism of Paine, first made by contemporaries such as John Quincy Adams in the 'Publicola Letters', 1791, has been that he failed to appreciate the possibility of electoral despotism or majority tyranny.

The question is thus raised - where, if anywhere, did Paine see the root of social evil? This question can only be answered after an analysis of his views about a state of nature, about rights and about the origin and purpose of government and its relationship to society. These views are discussed

here in chapter two, and they lead in turn to a consideration in chapter three of Paine's conception of republican government. Some similarities between the thought of Paine and of Rousseau have been found by, for instance, Kingsley Martin (101, p.19), and by E.P.Link for whom, in America, "Among the dissenters from Locke who followed Rousseau none was greater in influence in the 1790s than that zealot for democracy, Thomas Paine" (157, p.104). While the basis of Paine's political thought has been seen by others to lie in Locke's conception of natural rights (93, pp.xiv-xvi), Persinger, although he believed that "of all the writers of the Revolutionary period, Paine alone attempts the definition of the constantly used term, 'right' " (137,p.56), also pointed to an inconsistency between an endorsement of individual natural rights and Paine's support for the doctrine of popular sovereignty (*ibid*, pp.68-70). Against a background of these accounts of Paine's thought there can then be an investigation of the originality that was attributed to him by Edward Corwin who said that in Common Sense there was "adumbrated a national constitutional convention, the dual plan of our federal system, a national bill of rights, and 'worship of the constitution'; and this was some months before the earliest state constitution and nearly four years before Hamilton's proposal of a 'solid coercive union' " (175, p.533). Paine's model of republican government and society is, therefore, set out and examined in chapter three with special reference to political participation and decision-making, and to electoral despotism in relation to popular sovereignty and constitutionalism.

A discussion of Paine's universal political prescription entails an account of his support for revolutions as one means of introducing his republican model. An assessment of whether or not Paine took into account the importance of preconditions of political reform is necessary in the light of the typical belief of D.W.Brogan that, for Paine, "you set up and took down government like so many iron bridges It is this completely unhistorical character of Paine's mind that made him so

formidable an opponent of Burke" (111, p.66). Paine's ideas about revolution, the reasons for, and any developments in, those ideas, and the relationship between principles and acts of expediency, are discussed here in chapter four.

The social ideas and welfare schemes that were put forward in Rights of Man II and Agrarian Justice have been the subjects of continued interest because of the apparent divergence of this social radicalism from Paine's earlier social and political ideas. In contrast to a welfare state, a prescription of minimal government functions has been seen to be entailed by an interpretation of Paine as a believer either in natural rights (232, pp.186-9), or in the natural identification of interests in society (113, p.76; 100, p.137). Paine has been seen on the one hand as "essentially a physiocratic agrarian" (162, p.337) and, on the other hand, there is the view that "As a whole the works of Thomas Paine present a scheme of things closely resembling that of the Benthamites, which came a generation later" (118, p.386). In contrast to the belief that Paine was a representative of the aspiring commercial and entrepreneurial classes (ibid. pp.372-86) is the view of Kingsley Martin that he was a spokesman for the working-class and that his social thought was based on essentially moral, not utilitarian, foundations. (101, p.22). The development of Paine's social ideas, the origins of and the reasons for, this development, and the compatibility of these ideas with his political thought are discussed in chapter five, along with his ideas on the nature and roles of religion and education, and his position as "the first modern internationalist". (162, p.323).

Chapter six draws some ideas and implications from the whole body of Paine's thought for the nature and content of an idea of progress and, in particular, for an account of the relationships between government and social progress. A variety of opinions has been expressed about Paine and progress. H.Clark likened him to Rousseau in that both "take as their starting point

the position that contemporary civilisation is indescribably bad

They both contrast the seductive simplicity of the state of Nature with the villainous complexity and artificiality of the civilised state" (114, p.398) whereas Adkins said: "In Paine's thinking there is little to suggest the sentimental idealism of Rousseau, little that can be interpreted as a return to nature in the Rousseauistic sense" (92, p.xii). Nursey-Bray saw "an underlying theme of primitivism in Paine's work" (134, p.230), but Clark stated that Paine marched "in the vanguard of the dauntless band described by Professors Bury and Delville, who dedicated themselves to the fair dreams of perfectibility" (113, p.86). The discussion in chapter six should help to put in perspective these differing ideas about Paine's attitudes towards progress and perfectibility.

A need to rescue Paine from the effects of his own contemporary, if erratic, popularity, is suggested by the above review of general impressions of Paine and of the studies that have been specifically devoted to his thought. The lack of comprehensive analysis, and the issues raised by students and their disagreements about Paine's relations to those issues, suggests that what is required is a new analysis of his complete thought, and a consideration of how far he was original and what were his weaknesses and limitations. Such an analysis can be embedded to a great extent in a reconstruction of Paine's thought which enables an analysis to be presented that is based on a more systematic exposition of his thought than that presented either by Paine himself or in subsequent studies of him. Consequently, Paine's writings are studied here thematically, rather than expounded chronologically, although any developments in particular ideas are treated in context.

Some comparisons and contrasts between Paine's ideas and the ideas of several other, mainly contemporary, thinkers are introduced, for the purposes of elucidating Paine's own ideas more clearly and of discovering in a wider

perspective any originalities or peculiarities in his thought. It may also be suggested that through an examination of Paine's writings, there can be introduced several themes, ideas and problems that occupied a wide range of people in America, France and Britain in the second half of the eighteenth century. Conway asserted that "every page of Paine was pregnant with the life of his times" (2, vol.iv, p.xxi), Dunning believed that "a very remarkable blend" of French and American ideas, with "the separate ingredients" "practically indistinguishable" was to be found in Paine's works (229, p.111), and Wilfrid Harrison, in discussing the transition in Paine's thought from political, to social, radicalism, considered that "Paine's immediate historical importance lies mainly in the fact that he contrived to epitomise in himself the wide sector of contemporary opinion covered by the range of the transference" (6). However, in the light of the personal source of his most fundamental beliefs, and of the nature of his reading and social contacts, Paine cannot be seen as a political weathercock. Thus, for Parrington he was "wholly a child of his age....the intellectual processes of the age were no other than his own" (162, p.340), but he was also "very much more than an echo; he possessed that rarest of gifts, an original mind. He looked at the world through no eyes than his own" (*ibid*), "Paine was not just a populariser of the ideas of others", for he had "the stamp of intellectual integrity, he was no slavish copyist. He borrowed with rare discrimination and imparted to what he borrowed qualities it did not originally possess" (238, p.400).

Just because the main concerns in this examination of Paine's thought are as have been indicated, certain approaches have quite deliberately not been adopted. Little attempt has been made to identify the most important external influences upon his thought, partly because of the dangers inherent in such an exercise, and partly because of the diffuse nature of his relationship to the contemporary milieu. A preferable exercise is that of indicating

some parallels between Paine's thoughts and those of other writers, ~~for~~ the view of Clark is taken here, that what ultimately matters is "not so much petty similarities of verbal patterns but the larger community of spirit denoted by congruent views of major questions of man's duty and destiny" (114, p.310). Equally, the analysis of Paine's style, the explanation of the immediate popular impact of his writings and the tracing of their long-term influence upon succeeding thinkers, organisations and movements do not form part of the present study but can be found elsewhere(7).

NOTES AND REFERENCES TO THE INTRODUCTION

1. Washington in 1776: "By private letters which I have lately received from Virginia I find that Common Sense is working a powerful change there in the minds of many men" (1, I. p.2)
- Burke in 1777: "....the author of the celebrated pamphlet 'Common Sense', which prepared the minds of the people for independence" (28, p.207).
2. Paine's influence in Ireland is mentioned by Thomas Pakenham (202, p.14).
3. See 4, p.376 and R.M.I, I, p.299.

He repressed his youthful poetical interest (A.R.I, I, p.496); and he expressed his scorn for debate aimed at point-scoring rather than at the advancement of useful knowledge, as early as January 1775, in "A Mathematical Question Proposed" in the Pennsylvania Magazine.

His several acts of generosity and his humanitarianism discussed below on pp. 69-70 and p.280, substantiate his professed reason for writing Common Sense - "I saw an opportunity in which I thought I could do some good". (R.M.II, I, p.406).

4. See L.A.C.I, II, p.911 and 73, pp.84-5

In a private conversation concerning the encouragement of Paine, by the French Ambassador to America, to write in favour of the Franco-American alliance, Paine said, "The pen of Thomas Paine writes only the truth as Thomas Paine sees it. In this instance I think we three see the truth as one. But my political opinions are my own, and I must be free at all times to write as I please" (130, p.2). The financial arrangement was in fact cancelled within six months, after Paine failed to meet the ambassador's wishes.

5. The more popular stereotypes of Paine, generally either hostile or adulatory, will not be discussed here, but they can be found in the biographies by, for instance, James Cheetham (75), George Chalmers (74), Howard Fast (78) and William Woodward (84). The career of Paine's personal reputation has

been traced by Dixon Wecter (140).

6. 198, p.132. Two friends with whom Paine discussed political ideas were Jefferson and Condorcet. Jefferson could be seen as a representative of enlightened American thought: he said in 1825 that the object of the Declaration of Independence, which he drafted, was

Not to find out new principles, or new arguments, never before thought of, Neither aiming at originality of principle or sentiment, nor yet copied from any particular and previous writing, it was intended to be an expression of the American mind.... All its authority rests then on the harmonising sentiments of the day (49, p.719).

Condorcet's writings, according to Jacob Schapiro, "form an almost perfect synthesis of French liberal thought in the eighteenth-century in all its strengths and weaknesses" (216, n.p. Foreword.), he was

the last of the 'philosophes', and the only one who took an active part in the Revolution. He did not conceive a completely original system, but he did create a synthesis of all the theories of his predecessors". (219, p.v.)

Condorcet's 'Esquisse' was, then, "a sort of philosophic resume of the xviii th. century" (*ibid*).

7. The style of Paine's writing has been examined by Clark, in the belief that, "confident that men's conduct is merely the externalisation of opinion", Paine "thought with considerable care regarding the principles which underlie effective writings as a means of inculcating ideas" (95, p.cviii). For Clark's main analysis, see his "Thomas Paine's Theories of Rhetoric" (115). Other studies of Paine's literary style are by James Boulton, in "Thomas Paine's 'Rights of Man' : The Vulgar Style" (94), and by Nursey-Bray (103, Pt.ii, chs. iv & vi).

The long-term influence of Paine's writings in Britain has been discussed at a general level by historians and in more detail by Nursey-Bray (*ibid*, Pt.ii, chs. ii & iii) who said his main concern was "to show the manner in which Paine's concept of natural law contributed to the growth of a politically conscious proletariat" (*ibid*, n.p., Introduction).

CHAPTER ONE *

GOD, NATURE AND HUMAN NATURE

This chapter presents the fundamental assumptions and values which lay behind Paine's political and social thought, and begins in the first section with his views on the composition of human nature. The second section discusses, in the context of an interpretation of his thought as Newtonian Deism, the importance of his assumption that there was one, benevolent Creator, the role he allotted to nature in relation to social obligation, and his view of the relationship between reason and morality. Section three seeks to elucidate a concept of justice in Paine's writings, and the final section indicates some basic implications of his religious and moral assumptions for his social and political thought.

1. Nature of Man

Paine did not write a philosophical essay on human nature. His idea of a complex human nature which was not to be understood by reference to any one simple, overriding feature, was not purely a speculative idea, but was the product of a combination of religious assumptions, generalisation from the conclusions of introspection and the observation of people in differing social situations. Respect of Paine as a journalist has often been held in conjunction with respect for his insight into human personality - George Trevelyan believed that he "saw beyond precedents and statutes, and constitutional facts or fictions, into the depths of human nature" (167, vol.1, p.150), and Moses Tyler said :

By some process of his own he knew just what the people thought, feared, wished, loved and hated, he knew it better than they knew it themselves. The secret of his strength lay in his infallible instinct for interpreting to the public its own conscience and consciousness (168, vol.ii, pp.41-2).

One radical English acquaintance of Paine recalled as typical a situation where, "for above four hours, he kept everyone in astonishment and admiration of his memory, his keen observation of men and manners...."(81, p.199, c.f. 80, p.132)

* Notes and references (pp.66-72)

According to Paine, certain common traits of character and motivation were present in varying degrees in all people, including a capacity for the intuitive, but not innate, knowledge of such immutable, self-evident propositions as religious beliefs, moral beliefs, and logical fallacies, which were of the nature of the axioms of mathematics and Euclidean geometry rather than of the principles of science. (A.R.II, I, p.519 & p.520, A.R.I. I, p.493, C.S.I, I, p.8, S.A.L.IV, II, p.297). These propositions, or principles, from which deductive reasoning could proceed, might be demonstrated but were not susceptible of empirical verification. If Paine was optimistic about universal agreement on these principles, his optimism was a guarded one, for the principles were "so self-evident and obvious that they ought never to be stated in the form of a question for debate, because it is habituating the mind to think doubtfully of what there ought to be no doubt upon" (L.R.I. I, II, pp.336-7).

Conscience was not only a source of absolute moral ideas and judgments, but was also the source of a sense of need for moral self-justification; the unease of a troubled conscience, and the desire for a satisfied conscience or a personal sense of honour, motivated behaviour according to the moral beliefs of the individual. Apart from many references to the impulses of conscience in particular situations, Paine commended, for instance, a consideration of the self-reproach, the loss of peace of mind, and the "consciousness of guilt, from which his notions of honour can never release him", which befell the victor in a duel (II, pp.30-1). A person stood "self-reproved" when he transgressed his duty (II, p.1485, c.f. II, p.27 & 65, pp.145-6), but, for the American colonists in their conduct of the war of independence, "no reproachful sentiment lurks in secret. No sense of injustice is left upon the mind" (C.P.X, I, p.193). Paine showed throughout his writings a concern to restore the correct notion of honour which derived from the consciousness of moral self-respect, in place of the false and immoral conceptions of honour associated with social privilege or military glory (II, pp.33-4, A.RR.II, I, p.543). Although one result of the performance

of moral duty might be a satisfied conscience, for Paine would have agreed with Rousseau's claim that "the first reward of justice is the consciousness that we are acting justly" (63, p.250, c.f. 163, p.96); moral behaviour was the product of the composition of human nature and not of the deliberate gratification of the senses.

Paine described sympathy, which rendered man kind and humane, as "the power which I have of putting myself in my neighbour's place" (A.M.E, II,p.544). "Nature has implanted in him (man) a system of social affections which, though not necessary to his existence, are essential to his happiness" (R.M.II, I, p.357), and the person who did not feel a painful sensation at human tragedy was not "of character worthy of the name of a human being" (L.E., II, p.734, c.f.I, p.217). Conduct instigated by sympathy was not necessarily the product of a calculated enlightened self-interest, although this was one possible motive (A.J., I, p.617), but could arise from an instinctive love of one's fellow-men. Thus a charitable person "might satisfy his conscience but not his heart" (*ibid*). A sympathetic response to, and appreciation of, a situation could promote reflection upon the relationship between the observer and the situation. Reason would thus lead to a realisation, through disapprobation by the conscience, of a personal transgression of justice, and so to redress motivated directly by conscience rather than by sympathy. Sympathy and reason together provided a framework within which the conscience could operate. Slavery, for instance was contrary "to the natural dictates of conscience, and feelings of humanity" (A.S.A, II,p.18), and so people "must know the wickedness of that SLAVE-TRADE, if they attend to reasoning, or the dictates of their own hearts; and such as shun or stifle all these, wilfully sacrifice conscience, and the character of integrity...."(*ibid*, p.16)

Paine stated that there were numerous degrees of moral character (II, p.893), and, from his contact in the 1790s with the French philosophes and critics of Catholic education, he attributed, in his religious writings, the retardation or development of the conscience, and the variety of moral standards,

to the habits and beliefs formed by early upbringing and education. Consequently, while he opposed hereditary monarchy, he at the same time defended King Louis XVI of France against the demands for his execution by the French Convention in 1792-3, by referring to his artificial personal and domestic background, his restricted social experience, and the belief in the divine right of kings in which he had been educated.

From one point of view, we should not, perhaps, censure kings for their savage cruelty....and their oppression; it is not they who are in fault; it is hereditary succession which.... breeds oppression....there must be an entire absence of sympathy between ruler and people.... (he is) naturally and pre-eminently an egotist....altogether separated from humanity....A person educated in the belief that he has a right to command others is inevitably bound by his surroundings to lose all sense of reason and justice (A.M.E, II, pp.543-4, c.f.C.S.II, II, p.552, c.f.64 Bk.iii, ch.vi).

Similarly, because of primogeniture, the "ideas of distributive justice" of the aristocracy "are corrupted at the very source" (A.M.I, I, p.289). However, Paine's belief that an appreciation of the universal nature of moral natural laws required an awareness of some fundamental human equality, discussed below (Section iv) and his idea that the operation of sympathy depended on the extent and diversity of social knowledge and experience, do not by any means imply that he held to the theory of sensationalist psychology which was popular among the philosophes, and according to which, all ideas and opinions originated in sense impressions imposed by the environment. Moreover, his emphasis in the 1790s on the influence of upbringing and education upon moral character was not a new departure in his thought--early on he said that "Youth is the seed-time of good habits" (C.S, I, p.36), commended Christian moral education (A.S.A.II, p.17), and mentioned the importance of a natural domestic life (*ibid*, p.19) and the corrupting influence upon hereditary monarchs of their position and its principles (C.S, I, p.15). These beliefs were merely specific instances of a general idea about a relation between individuals' beliefs and behaviour on the one hand, and on the other hand their social, economic, and physical circumstances.

In opposition to the possible stifling of conscience was the widening of the operation of sympathy from which arose the virtue of the person whose disinterested motives caused him to act for the good of others. Whereas not acting justly could rightly be punished, and acting justly, which might coincide with prudence, was rarely praised, the absence of virtue was not culpable while the virtuous person was, however, deserving of praise; "Merely to be JUST is an honour, if that can be called an honour which is only a duty" (L.R.I, II, p.357, c.f.A.R.II, I, p.599, D.G.II, p.398, II, p.457 & p.1182). Voltaire, whose valid criticisms of Catholic superstition were not derived from "the purity of his principles, or his love of mankind", "merits the thanks rather than the esteem of mankind" (R.K.I, I, p.299). He was, like an inventor, a useful rather than a virtuous person (c.f.A.P.W. II, p.533).

Apart from passions such as ambition, avarice (I, p.178), despair (II, pp.1120-6), and the pride which Paine considered had to be taken into account when attempting to influence other people's opinions (II, p.1188-9 & p.1216), all men had reason, the use of which could be motivated by a respect for personal dignity, just as moral behaviour might be motivated by a sense of personal honour. Reason did not discern Platonic truths, but as a common sense faculty which, applied to all branches of inquiry, followed the rules and modes of operation of scientific method, by making deductions from intuitive propositions, and by induction of principles and laws from empirical data, which served for further deduction of ideas and principles. Common sense reason thus did not comprise a body of truths, but was an objective and impartial method of acquiring knowledge and ideas and of reaching judgments, by reasoning on the basis of facts and indubitable principles (R.M.I, I, p.272). Paine expressed throughout his writings, especially in connection with government, the belief that a desirable constancy and consistency in judgment and action depended on straight-line reasoning

on the basis of simplification of the issues and the return to eternal and original first principles (A.J, I, p.612, D.F.P, II, p.571 & pp.573-4, L.A.A, II, p.483). Natural thought was consistent with the simplicity and directness of logic in contrast to the artful contrivances of casuistry (C.P. VII, I, p.150, L.A.C IV, II, p.928). "Principle, like truth, needs no contrivance" (R.M.I, I, p.245), and people who wished to hinder the attainment of correct ideas generally resorted to confusing and complicating the issues (L.R.I, III, II, p.347, L.B. VI, II, p.432). Simplicity, because it was economical and exhibited the logical order and method of mechanics or of a spider's web (II, p.1040) was also a criterion to aim at in all thought, discussion and activities. Simplicity in the first sense can be seen in Isaac Newton's account of the solar system - "Nature does nothing in vain, and more is in vain when less will serve; for Nature is pleased with simplicity and affects not the pomp of superfluous causes" (55, p.160). An illustration of simplicity in the second sense is Paine's belief that "It is only by reducing complicated things to method and orderly connection that they can be understood with advantage, or pursued with success" (C.P.X, I, p.204, c.v. ibid, p.205).

Once an individual allowed the full extent of his feelings and reason to operate, and sought mental conviction without allowing himself to become the vehicle of credulity or the victim of prejudice, then he could achieve mental, and indirectly, moral conviction on all issues. Consequently

When men, from custom or fashion or any wordly motive, profess or pretend to believe what they do not believe, nor can give any reason for believing, they unship the helm of their morality, and being no longer honest to their own minds, they feel no moral difficulty in being unjust to others.... Morality has no hold on their minds, no restraint on their activities (E.P.II, p.849)

Among Paine's several references to prejudice can be found a conception of prejudiced beliefs which were the products of ignorance and of inadequate reflection, and a conception of a prejudiced outlook, disposition, or state of mind which inhibited the search for knowledge, and the freedom of the mind

to reason upon knowledge and to examine its beliefs. Prejudice in the second sense was "that demon of society" (L.R, II, p.242) which "shackles the mind" (*ibid.*, p.243), and it was this that Paine called "credulity", or a tendency towards a gullible acceptance of, and trust in, received opinions and ideas even without demanding evidence or rational demonstration. He noticed specific prejudices which were fostered by education, by the nature of the social and economic background of the individual, by his political and national situation, and by the physical environment (1). He believed that "When information is withheld, ignorance becomes a reasonable excuse" for prejudices (C.P. VII, I, p.142) and, especially in the 1790s, he expressed the enlightenment faith in the ability of reason to dispel prejudices .

No man is prejudiced in favour of anything, knowing it to be wrong. He is attached to it on the belief of its being right; and when he sees it is not so, the prejudice will be gone.... It might be said that until men think for themselves the whole is prejudice, and 'not opinion'; for that only is opinion which is the result of reason and reflection (A.R.II, I, p.353, c.f. *ibid.*, p.390, p.355 & A.R.I, I, p.463).

By confusing prejudice as a disposition, with prejudices, he occasionally treated knowledge as a means, by itself, for dispelling credulity. Thus, the importance which Paine attributed to the press, which preceded and was not produced by, the success of Common Sense, (M.A, II, p.1112), was the consequence of a belief that the prejudices of the people could be most "effectually encountered by a candid appeal to their own understanding in some well-written publication" (15 n.p). However, he did not underestimate the need to create, first, a popular will to acquire, and to reflect upon, knowledge and, indeed, he might be seen to be similar to the enlightenment thinkers for whom, according to Ernst Cassirer, the real enemy of knowledge and truth was not ignorance, doubt or disbelief, but dogma, presumption, superstition, and the certainty which tolerated only its own opinion, disallowing all others (226, pp.160-1 & p.164). Credulity although not a crime in itself, "becomes criminal by resisting conviction. It is strangling in the womb of the conscience the efforts it makes to

ascertain truth" (A.R.II, I, p.594). Despite Palmer's view that, for Paine, the "great enemy is ignorance" (135, p.167), what was in fact most subject to Paine's disapprobation was "that blind belief which deliberately closes its mind to all investigations and opposes all examination; for such belief not only limits the content of knowledge, but negates its being, its form, its principle" (226, p.164).

Whereas Paine accused the English people of torpor (R.M. II, I, p.454, S.A.L, II, II, p.290), he commended the historian and Deist, Conyers Middleton, for his "strong original mind", for he had the courage to think for himself and the honesty to speak his thoughts" (E.P, II, p.882). Paine can be seen against the general background of what, according to Kant was the emphasis in the enlightenment on man's exodus from the self-incurred tutelage which lay "not in any weakness of the understanding, but in indecision and lack of courage to use the mind without the guidance of another. 'Dare to Know'.... Have the courage to use your own understanding; this is the motto of the enlightenment" (226, p.163). One influence upon Paine's writing was, consequently, the idea that people should be bold enough to analyse their beliefs to see whether they could rationally or morally justify them to themselves, and his literary style took into account the view that the removal of popular ignorance required a stimulus to receptivity to knowledge and to a disposition to reflection; "to think as if we were the 'first men' that 'thought' (F.L.IV, II, p.83). "The hinting and intimating manner of writing....produced scepticism, but not conviction. It is necessary to be bold. Some people can be reasoned into sense, and others must be shocked into it. Say a bold thing that will stagger them, and they begin to think" (II, p.1426). "A single expression, boldly conceived and uttered, will sometimes put a whole country into their proper feelings" (R.M.II, I, p.421). Thus Paine's occasional emphasis on the power of reason should not obscure his belief in, and practice of, a resort to instruments of enlightenment other than reason, not only in his deliberately bold and forceful style, but also by the provision of

analogies and comparisons (C.P. VII, I, pp.153-4; 3, vol xiii, pp.225-6) and, above all, of concrete examples, for convincing the sceptic or the doubter "Where facts are sufficient, arguments are useless" (C.O.E, II, p.7), and as "fact is superior to reasoning, the instance of America presents itself to confirm these observations" (R.M.II, I, p.360, c.f.C.S, I, p.3 & II, p.27). "It was not all the argument, however powerful, nor the reasoning, however eloquent, that could have produced" the expulsion of prejudice, "so necessary to the extension of the mind", which followed the American war of independence and the alliance with France (L.R.II, p.243, c.f.C.P.III, I, p.89); "the characters of men are forming, as is always the case in revolutions." (R.M.I, I, p.268). Where Paine might be said to have had an enlarged faith in reason was in his belief that there could be a rapid, cumulative enlightenment once the bonds of credulity had been broken by, perhaps, non-rational means; "as men when they begin to think do not stop at the first thought, for thought begets thought.... (4, p.370); "It seldom happens that the mind rests satisfied with the simple detection of error or imposition. Once put in motion, that motion soon becomes accelerated; where it had intended to stop, it discovers new reasons to proceed, and renews and continues the pursuit" (L.A.A, II,p.471, c.f.A.F.Q, II, pp.533-4). Thus Paine could believe, about newly-independent America:

our style and manner of thinking have undergone a revolution more extraordinary than the political revolution.....We see with other eyes; we hear with other ears; and we think with other thoughts, than those we formerly used. We can look back on our own prejudices....We now see and know why they were prejudices and nothing else" (L.R, II, p.243).

Although he posed a simple distinction between a stagnant, or credulous, mind (M.A, II, p.1110, R.M.II, I, p.368) and an active, reasoning mind, Paine's ideal of the mind involved the harmonious balance of faculties which characterised the mechanism of a watch (II, pp.842-4). The imagination, furnished by memory, excited reflection and judgment (II, p.50, L.R, II, p.214, C.P.II, I, pp.71-2) in a manner similar to the mainspring which set a watchworks in motion. The

judgment was required to perform the role of a pendulum, correcting and regulating motion, since imagination, on its own, produced prejudices and illusions; "It is the nature of the imagination to believe without evidence" (II, p.1484, c.f.II, p.843); thought should "combine the full expanse of the imagination with the natural and necessary gravity of judgment" (L.R, II, p.214). Judgment was based on full information, the important search for which was stimulated by curiosity (2). The memory recorded the mental operation and aided future understanding and judgment (C.P.II, I, p.72). The three faculties of the mind; imagination, judgment and memory, all "being active, and acting in unison, constitute the rational man" (II, p.845). However, in Paine's ideal of a balanced person, seen most clearly in the context of his discussion of literary style (L.R, II, p.214), reason should combine, and be combined with, the warm and animated, but not agitated, passions, which arouse continued curiosity, and with a cool temper (R.M.I, I, p.299, R.M.II, I, 450). Once a "serene mind and a happy and philosophical temperament" were attained, the individual should be able to "judge rightly" and to "command thought" (L.A.C.IV, II, p.926).

The importance which Paine attached to the attempt to attain mental conviction can now be appreciated along with the significance of his remark that he made his profession of faith "with all that sincerity and frankness with which the mind of man communicated with itself" (A.R.I, I, p.465, c.f.201, pp.62-3). For, given his belief in natural moral laws and in the universality of human characteristics, he could believe that under a common impulse to achieve full mental conviction, and so, indirectly, moral conviction, general agreement, or acquiescence in the general view, could be achieved on most issues, including all moral issues. This simplified ethical outlook was based on the assumption that there was almost always a morally right, or otherwise, a practically best, choice or decision that could be made (D.F.P, II, p.572). The achievement of this decision, and the peaceful resolution of conflicts depended on the simplification and clarification of the issue, and on a mutual respect for and pursuit of, the method of common sense reasoning.

This belief lay behind one aspect of his literary style—"I do not, neither shall I, rest the case upon elegance of language, or forcible expression. I mean to state it with all the plainness of conversation, and put the merits without a gloss" (L.R.I,V,II, p.357). Thus the justice of an issue was allowed to become apparent to all concerned; "It is by thinking upon and talking subjects over that we approach towards truth" (3, vol.xvii, pp.533-4, c.f.C.O.E, II,p.4). As R.R.Palmer said:

(Paine) brought to social and human problems, and to all the complications of politics, the simple clarities of the Quaker conscience or of the mathematical logician, reducing such problems to plain propositions and applying his true-or-false test he assumed that everything true could be put in explicit terms (135, p.164).

Paine's faith that "Reason and discussion will soon bring things right, however wrong they may begin" (R.M.II,I, p.447) was, then, based not on the belief that the reason of each individual could discern abstract truths, but on the conception that through reason and sympathy, and by a full appeal to conscience, there could be rational, or moral, agreement on most issues, so that "to have matters fairly discussed and properly understood is a principle means of preserving harmony and perpetuating friendship" (P.G,II, p.304). All that was necessary in a case of dispute was "calm discussion, and a disposition to agree and be understood" (L.R.I, III,II, p.352) which "requires nothing but plain honesty and calm and candid thinking, to judge of the propriety and equity" of measures (L.R.I.IV,II,p.353). Agreement or acquiescence in a decision or a solution to argument, could be reached through reflection upon full information, in the light of principles, without a need for any compromise of an individual's conscience (C.P.VII,I, p.143; 80,p,109; 11, p.53), whereas disagreement was the product of confusion and misunderstanding. The full significance of these beliefs of Paine can perhaps best be seen in their opposition to the statements of T.V.Smith who said, in criticism of Paine :

The only substitute for revolutionary action is action by agreement, and this involves not only accommodation of the concrete interests of men but also compromise of their consciences as well (104, p.11).

Democracy must save itself through evolution. It is a sacrifice of conscience in all matters save that which matters most, the achieving of the end for which revolutions are fought (ibid., p.24).

Justice and utility were not identifiable even though disutility might be an indication of injustice, and social utility might be a result of virtuous action. The pursuit of self-interest was a morally legitimate activity only to the extent that it was contained within the limitations imposed by an observance of the independent, and universal, principles of natural justice; that is, so long as self-interest did not become anti-social selfish interest. Nevertheless, the more individuals sought mental and moral conviction, the more likely were they to recognise the alliance of justice and interest which, because of the composition of human nature, often prevailed in the short-term, and always prevailed in the long-term. Consequently it "is necessary to the happiness of man that he be mentally faithful to himself" (A.R.I.I, p.464), first, because short-term prudence often counselled the same path as did duty, since not only did an initial divergence from moral principle often necessitate a cumulative resort to expedients (D.F.P, II, p.583, C.S.IV, p.592, S.A.L.I,II, p.284), so multiplying future embarrassments (L.W.II, p.710) but also because insincerity, deceit and impersonation of moral intent tended to reveal the fact that something was being hidden, and so to provide their own detection (L.A.C.IV, II, p.924, L.A.C.VIII, II, p.949). Thus, in 'Liberty of the Press', Paine reproduced Jefferson's remark; "the licentiousness of the press produces the same effect as the restraint of the press was intended to do if the restraint was to prevent things being told, and the licentiousness of the press prevents things being believed when they are told" (II, p.1010). Reason was both the means used by, and the test of, honesty and conviction (E.C.II, p.750). Although "the best invented fiction" could not "fill the mind with every conviction which truth begets" (L.A.A, II, p.470), when the case that was being argued was a just one "the mind is carried cheerfully into the subject,

feels no compunction, suffers no distress, subjects its sensations to no violence, nor sees anything in its way which required an artificial smoothing" (P.G, II, p.306). Since Paine believed that the truth was simple, in the sense that it required no artificial support, then he would have agreed with Rousseau's assertion; "Conscience is the best casuist, it is only when we haggle with conscience that we have recourse to the subtleties of argument" (63, p.250).

A second underlying, but important belief of Paine, which he never fully explained, was that people were constituted in such a way by God that, in the long-term, there was a coincidence between justice and real interest, both for individuals and for society. This belief rested on certain assumptions; that there was a common moral capacity, that certain basic values such as the security of peace were the needs and real desires of all people even if they were not appreciated by all people at all times - "the love and desire of peace....is the natural as well as the religious wish of all denominations of men" (II, p.56, c.f. P.N.R, III, II, p.205), and that contentment, or happiness of mind (II, p.1099), as opposed to mere passing pleasure, was dependent upon, although not the interested goal of, the satisfaction of the conscience of the individual, an occupied mind, and the achievement of the generally accepted values. Moreover, while there "is perhaps no condition from which a man conscious of his uprightness cannot derive consolation" (L.W, II, p.698), virtue was a source of great self-satisfaction, and indeed, for Paine, the "chief of human pleasures" was "that of relieving insulted distress" (II, p.1194, c.f.23, p.32). Paine was impressed by Cicero's account, in Cato, or an Essay on Old Age (A.R.II, I, p.551, R.L, II, p.784), of the contentment which did not derive from pleasure or leisure, but came to the person who "puts his trust and confidence in God....leads a just and moral life, and endeavours to do good" (P.P, II, p.815, c.f.II, p.1480).

Only under the "supreme law of absolute necessity" (18th.F, II, p.605) might interest, or a greater justice, be put morally before an attention to

one's immediate duty, for, as an act of last resort or as an exceptional case, "it is the necessity abstracted from the case that is to be deplored" (*ibid*). "The supreme of all laws, in all cases, is that of self-preservation" (18th.F, II, p.613), which might avert a troubled conscience in any application of the rule of necessity that was occasioned by man-made aberrations in the ideal harmony of justice and interest; - it was the failure of some people to perceive their real interest or to behave according to the precepts of justice, that was responsible for the non-coincidence of duty and happiness (P.P, II, p.797). There was, for instance, a "striking difference" between the dishonesty that arose from want of food, and that which arose from want of principle; the first "is worthy of compassion, the other of punishment" (C.O.E, II, p.11). Violence might be justifiable if it was necessary is self-defence (C.F.V, I, p.120, c.f.II, p.1265 & p.53).

Paine, in practice, in making appeals on various issues, always tried to demonstrate a coincidence between justice and either immediate, or far-sighted, interest; he was similar to Rousseau in endeavouring "always to unite what right sanctions with what is prescribed by interest, in order that justice and utility may in no case be divided" (64, p.3). He discussed the alliance of interest, honour and sympathy in The Crisis Extraordinary (I, p.177), and he demonstrated it in general issues, such as political justice (S.A.Ls.I & II), social justice (A.J), and religious toleration (R.M.I, I, p.293), and in particular cases such as Anglo-French peace (L.R), a salary increase for the officers of the Excise (C.O.E), regicide (II, pp.1352-3), and slavery (II, p.1458). Clark believed that while Paine was in America he stressed the motive of self-interest as the most important aspect of human nature, and saw a harmony of selfish interests in society, since his arguments for independence were economic ones. But this belief is contradicted both by the presuppositions about human nature and justice which were embodied in the clear distinctions which Paine made between the bases of his appeals, and by his elevation of the moral over the prudential base, which, although possibly

a tactic in his propagandist purpose, was also consistent with his idea of the praiseworthy nature of honourable and virtuous, but not interested, reasons for just action (3). Paine's suggestion that independence was indicated by reason and nature referred neither to a calculation of interest, nor to the cosmic universe, but to reasoning based on the intensity of natural feelings of injustice and outrage (C.S, I, p.30, p.23 & p.22). Paine distinguished between the moral, social, political and economic reasons for independence (I, p.174, C.P.III,I, pp.78-82, P.R., II, p.624), and said that, of these, "what weigh most with men of serious reflection are, the 'moral advantages' " (C.P.III, I, p.81), and that he "would not make the interest of the French alliance the basis for defending it because all 'the world are moved by interest, and it affords them nothing to boast of. But I would go a step higher, and defend it on the ground of honour and principle" (L.R, II, p.214, c.f.L.R, II, p.216 & C.P. III, I, p.82). Nevertheless,

though in matters of bounden duty and reciprocal affection it is rather a degeneracy to admit anything selfish to partake in the government of conduct, yet in cases where our duty, our affections, and our interest all coincide, it may be of some use to observe their union" (C.P.X, I, p.205, c.f. A.J, I, p.619).

Consequently, Penniman said about Paine's idea of equal political rights, for instance, as in the case of his social ideas, and of his discussion of popular sovereignty and majority rule,

he conducts his argument on two levels. He maintains that equality springs from ultimate principles or natural law, and also insists that equality should be granted for practical reasons, saying that those who have the power to bring about equality should do so for their own interest. As in all such arguments, he places greatest emphasis on the 'justice' of the proposition (136, p.255)

The will to achieve mental and moral conviction was an important consideration in judging men as opposed to judging their actions, and, parallel with Paine's emphasis on distinguishing between people and principles, and attacking only the latter, is his suggestion that a person who acted unjustly, but who also sought moral conviction, was not morally culpable. "He that acts as he

believes, though he may act wrong, is not conscious of wrong" (L.A.C.IV, II, p.25), and "To be 'nobly wrong' is more manly than to be 'meanly right' " (C.P.X, I, p.190 & F.L.I, II, p.61); "Only let the error be disinterested - let it wear 'not the mask' but the 'mark' of principle, 'tis pardonable. It is on this large and liberal ground, that we distinguish between men and their tenets, and generously preserve our friendship for the one, while we combat with every prejudice of the other" (F.L.I, II, p.61). Indeed, Paine's own relations with some of the people with whom he disagreed, such as Burke, Madison and Samuel Adams, provide evidence for Rickman's assertion that Paine himself "never allowed a mere difference of political or religious sentiment to interrupt friendship or exchange of knowledge and information" (80, pp.134-5), and a general belief of Paine's is expressed in his claim -

I have always strenuously supported the right of every man to his own opinion, however different that opinion be to mine. He who denies to another this, makes a slave of himself to his present opinion, because he precludes himself the right changing it (A.R.I, I, p.463).

However, while in Paine's philosophy magnanimity could be commended in the short-term, because of his simplified ethical outlook, it is a fact that in the long-term, with prolonged disagreement, people who believe that they have achieved right beliefs after full conviction sometimes become intolerant towards, and either misrepresent or misunderstand, those whose opinions failed to conform. Paine allowed, for instance, that there could be American supporters in principle of colonial rule (C.P.III, I, p.77), but, in contrast to this, he then found himself unable to account for the conduct of the pacifist Quakers (F.L.IV, II, p.83), and, after failing to convert them to the revolutionary cause by reasoned argument, he concluded that they were governed by worldly ambition, "There being no such being in America as a Tory from conscience" (C.P.III, I, p.90, c.f.F.L.IV, II, p.83).

Thus Paine's simplified ethical outlook, combined with his personal sense of conviction, was responsible, first, for what might be seen to be his own dogmatism; he was awarded the 'headstrong book' at the debating club he attended in Lewes in the late 1760s, (73, p.20), and he has been judged to

have been "no exception to the general rule, - that we find no persons so intolerant and illiberal as men professing liberal principles" (83, p.13). A second consequence was his need to accuse certain persistent opponents, of Hypocrisy (L.A.C.VI, II, p.932) - "The prejudice of unfounded belief, often degenerates into the prejudice of custom, and becomes at last rank hypocrisy" (E.P, II, p.849, c.f.L.W, II, p.710), a hypocrite being a person who "forces his mind and pretends to believe what he does not believe" (II, p.1485, c.f.L.A.C.VI, II, p.935). "Infidelity does not consist in believing, or in disbelieving; it consists in professing to believe what he does not believe.... It is impossible to calculate the moral mischief, if I may express it, that mental lying has produced in society" (A.R.I, I, p.464). A third, and eventual, result was Paine's admission; "I have often been at a loss to account for the conduct of people where no immediate interest appeared to direct them, and where it has been evident to me that the consequences of their own conduct would operate against themselves" (II, p.1256). Thus Paine, consistent with his beliefs but inconsistent with the spirit that he recommended, showed what is perhaps an unavoidable characteristic of people who believe in a universal objective moral order - an inability to accept that there could be equally valid, but irreconcilable, moral convictions.

Finally, the actual achievement of mental, and moral, conviction was important for Paine because of the resoluteness of action and devotion to a cause which he believed could be inspired by such conviction, "he whose heart is firm, and whose conscience approves his conduct, will pursue his principles, unto death" (C.P.I, I, p.55, c.f.R.M.II, p.519). His conception of a relation between a person's beliefs and his conduct (I, pp.171-2, C.P.XIII, I, p.231), was not simply a piece of military propaganda, for it can be traced to his idea of the "natural though unperceived progress of association between mind and object" (L.R,II, p.239). The motives of a participant in a cause or in the pursuit of an object, would always, over time, be brought into harmony with the nature of that cause or object, or otherwise either the pursuit would cease,

or the nature or the cause would become changed; "it is necessary there should be a fitness in the mind, to enable it to act in character with the object" (ibid). Paine applied his belief that "It is the faculty of the human mind to become what it contemplates, and to act in unison with its object" (R.M.I, I, p.313) not only in the matter of social and political principles but also to moral behaviour in relation to natural philosophy, and to all activities in relation to self-awareness (discussed in section two below). Action produced by passionate conviction inspired by the object, could often overcome the practical difficulties which, if they had been cautiously considered, might have discouraged the action that could be attempted with such success (C.P.XIII, I, p.235); thus measures in which the interest and duty of the people are involved "need no other force to accomplish them than the force of being felt" (I, p.182).

2. The Role of Nature

This section is concerned in particular with the ideas about God and nature which Paine only put forward in his writings on religion, after 1792, because it can be, and has been, argued that Paine held these ideas in some degree throughout his life, and that it was these ideas that lay behind his views about human nature and justice, and behind what Paine himself saw as his continuing political thought (see A.R.I, I, p.496 on p. 63 below, and L.A.C.I, II, p.910; II, p.1372). It can be pointed out that Conway's observation that Paine's section in The Age of Reason I on the six planets of the solar system omitted reference to Uranus, discovered by Herschel in 1781 (2, vol.iv, p.3), but this does not necessarily imply, as Conway thought, that most of this work was written before 1781, since the relevant section - 'The Plan and Order of the Universe' - is a self-contained one which might have been the only early piece, fitted into the rest of the text which was written between 1792 and 1793. However, there is considerable evidence that Paine held for a long time the religious opinions which he made widely known

only in the 1790s when he believed that publication of them was necessitated by circumstances in France. An earlier publication might have been deterred by the prudence counselled by Franklin and by Paine's own reason, since until 1792 such a publication could only create controversy and disagreements, and, perhaps, damage his own prestige and alienate some of his friends. Paine said in The Age of Reason I :

It has long been my intention, for several years past, to publish my thoughts upon religion. I am well aware of the difficulties that attend the subject, and from that consideration had reserved it to a more advanced period of life. I intended it to be the last offering I should make to my fellow-citizens of all nations, and that at a time when the purity of the motive that induced me to it could not admit of a question, even by those who might disapprove the work (I, pp.463-4).

Paine repeated the gist of this statement in The Age of Reason II (I, p.514) where he also said that 'the views expressed in The Age of Reason I were, like his memorised quotations from the Bible in that work,

the effect of the most clear and long-established conviction that the Bible and the Testament are impositions upon the world, ; that the only true religion is Deism, ... - and that it was upon this only (so far as religion is concerned) that I rested all my hopes of happiness hereafter (I, pp.582-3).

The Quaker and Newtonian Deist bases for Paine's deliberations on moral and religious matters, which are discussed later in this section, were laid in his youth. He gave an account of his childhood reaction to the Christian idea of redemption (see A.R.I, I, p.497 , on p. 68 below), and he said that soon after he became acquainted with the globes and the orrery, which was in the 1750s while he still "had no disposition for what is called politics" (A.R.I, I, p.491) he -

began to compare, or as I have before said, to confront the eternal evidence these things afford with the Christian system of faith to believe that God created a plurality of worlds, at least as numerous as what we call stars, renders the Christian system of faith at once little and ridiculous.... (A.R.I, I, pp.498-9)

Paine published a Deistic poem 'Thoughts on the Universe', in the Pennsylvania Magazine of March 1775, he harboured radical opinions about established religion in 1776 (A.R.II, I, p.465), and he said in 1777: "I think a man may be religiously happy without modes" of worship (C.C.R, II, p.276). John Adams

remarked that at a meeting with him in 1776 Paine expressed contempt of the Old Testament but checked himself with the words; "However I have some thoughts of publishing my views on religion, but I believe it will be best to postpone it to the latter part of my life" (31, p.333). John Hall attested in 1786 to Paine's disbelief in "common systematic theories of Divinity" (76, p.239), and Paine implied in 1788 that he had never believed in the Athanasian creed (3, vol.xiii, p.222). The support lent by these instances of Paine's own statements about the long-standing nature of his religious beliefs suggests that those beliefs were held continuously by him, even if he only conceptualised them precisely, and only clearly understood their full implications, in the process of formulating them on paper after 1792.

According to H.H.Clark, the political, social, economic, humanitarian, educational and literary ideas of Paine cohered in a system of thought derived from the premises of Newtonian Deism with which Paine became acquainted before he first left England, especially while attending the philosophical lectures of Benjamin Martin (1704-82) and James Ferguson (1710-76). Paine, Clark believed, consistently held these ideas throughout his life, and they were expressed in The Age of Reason and his other religious writings in the 1790s (113, pp.57-71). R.Falk also believed that "Paine appears to be in harmony with most of the principles of Deism and distinguished from those of the Quakers" (120, p.55) and he, like Norman Sykes who said that "the creed of Paine was not Quakerism but the purest deism" (100, p.125), followed the first Deist interpretation of Paine, that of L.W.Riley in 1907 (164, p.296 & p.304).

The four premises of Newtonian Deism put forward by Clark maintained, first that Nature, and in particular the cosmic universe, was, in the eye of rationalistic science, Divine revelation. Secondly, science revealed that Nature, the standard to which everything should be brought, was law and order,

and, thirdly, man, as the crown of creation, shared in this harmonious order and was impelled, through altruism and through an identity of interests, into harmony with Nature. Fourthly, given contemporary conditions, progress consisted in the reform of relevant institutions in order "to re-establish in politics and religion a lost harmony with this uniform, immutable, universal and eternal law and order" (113, p.60, c.f. ibid pp. 71-87; & 95, pp.xv-xvii). Clark believed that "it seems likely that Paine derived these four premises mainly from popularisations of Newtonian science and deism" (95, p.xvi), and that "while Paine's political ideas were doubtless influenced by current events, economic considerations and a wide variety of things, it is important to remember that to a considerable extent these political ideas were logical deductions from his religious ideas" (ibid, p.xxxiii). Religion was "the fountainhead of his concrete work" (113, p.86), and once "the polar star of Newtonian deism had risen above Paine's mental horizon he found his way, and henceforth he had but to walk toward the light" (95, p.xxvi). Paine's political principles thus had a scientific base and rationale; "Since time and space do not affect the universal truth of scientific principles, Paine would do combat 'on the pure ground of principle'" (113, p.87). Similarly for Aldridge, Paine's political ideas derived from "the concept of a parallel between the natural universe and the social system, between laws of science and laws of human relations" (73, p.32). In Rights of Man, Paine "specifically drew the parallel between science and politics, and argued that universal principles could be ascertained as accurately and conclusively in government as in nature" (ibid, p.321).

According to Conway

Paine's 'Reason' is only an expansion of the Quaker's 'inner light', and the greater impression, as compared with previous republican and deistic writings made by his 'Rights of Man' and 'Age of Reason' (really volumes of the same work), is partly explained by the apostolic fervour which made him spiritual successor to George Fox (2, vol.iv, p.5).

Clark's alternative to Conway's Quaker interpretation of Paine is important in emphasising a distinction of kind, maintained by Paine, but confused by Conway between reason and conscience as the indwelling spirit of Christ. Clark pointed out that while the mystical inner light of the Quakers gave direct perception of God, Paine, unlike the Quakers, not only rejected all Biblical revelation, but also discussed reason in terms of the mode of scientific observation and analysis, applied especially, to the creation (95, p.xiii;13; p.59). However, some of Clark's criticisms of Conway's account were irrelevant to a discussion of Paine's philosophy, for instance his stress on the fact that Paine never formally belonged to any Quaker group, and on the fact that Paine failed to practise what Quakers preached. Furthermore, a careful examination of Paine's writings suggests that Clark might have misunderstood, and even over-emphasised, the significance of reason to Paine. Although Falk believed that the "issue lies squarely between Quakerism and Deism in determining the primary religious force acting upon him" (120, p.52), a tendency to establish a dichotomy between two distinct and coherent systems of Quaker and Deist thought, and to attempt to allocate Paine to one of these systems, imposes restrictions upon the understanding of what might in practice be more complex. An introduction to a new examination of his thought can be provided by an account of Paine's unoriginal demonstrations of the existence of God, each of which rested on reason and assumed the principle of sufficient reason; of a self-existent First Cause which of itself required no explanation (A.R.I, I, p.484).

Paine first explained that the idea of an eternal First Cause was suggested by knowledge of one's self and of all material phenomena, which were not self-created. Thus, contemplation of the self, and of the creation, should entail an immediate recognition of the existence of God (A.R.I, I, p.486, P.P, II, p.793 & p.798). Next, like Newton, Paine proposed that motion was not a property of matter; the natural state of matter was one of rest, and consequently, the idea of an Intelligent Agent was needed in order to explain the motion which, for instance, ensured the preservation of the solar system

(E.G, II, pp.751-3, c.f.71, p.234). Paine explicitly rejected the materialism which led to atheism, and, again like Newton, was impressed by the idea of a First Mechanic whose intelligent design was responsible for the functional ordering and harmony of the cosmic universe (L.E, II, p.732, c.f.71, p.238). Furthermore, he also said; "Since....everything we see below us shows a progression of power, where is the difficulty in supposing that there is, at the 'summit of things', a Being in whom an infinity of power unites with the infinity of the will?" (E.G, II, p.754). Paine's idea of God thus comprised a knowledge of His power and wisdom, to which was added a belief in His goodness and justice, or a perfect will (E.P, II, p.889).

According to Clark's four premises of Newtonianism, and in accord with Becker's general view of the enlightenment (145, p.57), the cosmic world for Paine not only demonstrated the existence of God but also, by assumption, was God's word and command, and it therefore also provided the standard to which the entire range of religious and moral obligation should conform. "Newtonian Deism, as interpreted by Paine, involved discipline and order.... the very core of his thought was a divinely revealed and sanctioned law and order, in harmonious conformity to which society finds its happiness" (95, p.xxi, c.f.143,p.57). "The ultimate virtue to him....was living in harmony with this law which is nature, a conformity involving no little discipline" (115, p.333), and science "reveals a harmonious and universal order, progressive conformity to which constitutes progress" (113, p.85, c.f.97, p.64). However, Paine's demonstration, by reference to the order of nature, of the existence of God which was already assumed as a self-evident proposition, suggests that he might, equally, have asserted that Nature could be taken to be the word of God, because Nature met his own intuitive conceptions of moral goodness and, especially, of the criteria to which the vehicle of Divine revelation must, morally, conform. That is, for Paine Nature was Divine revelation because it met, and confirmed, his conception of moral perfection, (or of God). Thus Nature could be seen as indicating the character of God whose perfect will was already assumed to be good by definition, and as a guide to the standards which should be followed in human behaviour.

The view that there was for Paine a moral order known independently of the creation is implied throughout his religious writings (E.P.II,p.886, II, pp.1395-8,A.R.II, I, p.519), and the idea of a conscience which, independently of natural philosophy, could discern moral duties and obligations, is suggested by his assertion that the Quaker religion most nearly approached the Deist in "the moral and benign part....even though they have contracted themselves too much by leaving the works of God out of their system" (A.R.I, I, p.498). Consequently Paine believed that as "for morality, the knowledge of it exists in everyman's conscience" (A.R.II, I, p.599). "As to the fragments of morality" in the bible, they "are the natural dictates of conscience, and the bonds by which society is held together, and without which it cannot exist, and are nearly the same in all religions and in all societies" (A.R.II, I, p.597). He did not believe that the laws and principles of the cosmic universe were, themselves, the standards of moral obligation. Rather, he held that only Nature could be the Divine revelation because only it could meet the criteria of revelation which he derived from the assumption of the equal honour and dignity of man on which he based his conception of God's perfect will. Thus he said, for instance:

every article in a creed that is necessary to the happiness and salvation of man ought to be as evident to the reason and comprehension of man as the first article is, for God has not given us reason for the purpose of confounding us, but that we should use it for our own happiness and His glory (P.P, II, pp.797-8).

Only Nature could be Divine revelation, not because Nature was conceived as operating in accordance with the principles of Newtonian science, as was implied by Clark (113,p.71), but because only Nature could satisfy Paine's moral belief in some fundamental human equality which demanded that revelation should be universally accessible and intelligible, immutable and eternal (E.P, II, p.882). Furthermore, the characteristics of Nature satisfied the desires and values which were Paine's own, and which included a love of order, method and simplicity, and a desire for peace and harmony - "I love method because see and am convinced of its beauty and advantage" (C.P.X,I,p.205); "I have an

aversion to touch on matters which have in themselves the nature of discord and division" (II, p.1256, c.f.II, 1151 and 1422). Further related values were the ideas of justice and mercy that were suggested to Paine by his own conscience.

Paine's moral standards were expressed partly through his criticisms of the Biblical account of God, which he considered to be both blasphemous and repugnant to the moral sense - "our ideas of His justice and goodness forbid us to believe such stories....of the books of the bible" (4). Consequently Palmer concluded:

The distinctive thing about the Age of Reason is not the blasphemy but the utterly moral approach to the subject. Nowhere is Paine's difference from Voltaire so obvious. Voltaire thought the 'Christian superstition' ridiculous. Paine thought it wicked. Voltaire jests. Paine is desperately in earnest (135, p.170).

In his attack on Biblical revelation, Paine distinguished between, first, the outrage offered to the moral justice of God by, for instance, supposing "Him to make the innocent suffer for the guilty", secondly, the immediate irrationality of mystical and mysterious fables, that is, their irreconcilability with the "divine gift of reason that God has given to man", and thirdly, the inconsistency of these fables with the knowledge of the power and wisdom of God which was gained "by the aid of science and by studying the structure of the universe which God has made" (A.R.I, I, pp.492-3). Paine's beliefs that some parts of the Bible was "as shocking to humanity and to every idea we have of moral justice as anything done by Robespierre" (A.R.II, I, p.518), and that "all the moral evidence is against the Bible" (A.R.II, I, p.519), are thus distinguishable from his assertion that, apart from the Deist religion, "All other systems have something in them that either shocks our reason, or are repugnant to it, and man....must stifle all his reason in order to force himself to believe them" (P.P, II, p.797). Clark conceded that the destructive aspect of Paine's anti-Biblical writings might have had humanitarian Quaker origins (113, p.57), but he did not pursue the implications of Paine's moral criticism for his positive conception of morality - "one must look elsewhere for much of the motivation underlying the major religious premises of his constructive thought" (115, p.60, c.f.75, p.xv).

Rather than as having held to Newtonian Deism, or to a simple belief in an inner light, Paine can thus be seen to have shared the dualism of Rousseau (in Emile, 1762) in seeing both reasoning on the creation, and moral self-awareness, as the sources of knowledge of the nature of God and of man's moral obligations:

I totally disbelieve that the Almighty ever did communicate anything to man....by any means....otherwise than by the universal display of Himself in the works of the creation, and by that repugnance we feel in ourselves to bad actions, and the disposition to do good ones. (A.R.II, I, p.596, c.f. 63, p.252, p.259 & p.270)

Paine's mention, here, of the conscience, might even be seen as an afterthought added to his Deist propaganda as if, perhaps because of his own upbringing, he assumed that the role of conscience was self-evident and in any case universally appreciated.

Paine did not hold the Deist idea that the existence and nature of God could be demonstrated only by reasoning on the physical universe, as opposed to Biblical revelation. He believed that an appreciation of the Creator could be based on a conception of human nature, the origin of which was introspection. For Paine, God was not just a remote transcendent, First Cause whose "arm wound up the vast machine, and then left it to run by itself" (164, p.191, c.f.165, p.55), for he denied neither personal revelation (A.R.II, I, pp.596-) nor Providence. Thus, although he saw Providence working benevolently through laws of nature, and although he conformed to the basic premises of Deism put forward by Lord Herbert of Cherbury (1581-1648) in De Veritate, 1624, he neither derived his ideas about human nature from the premises of Newtonian Deism nor stipulated Nature as the object for human conformity. Instead, his attitude towards Nature was derived from the conformity of Nature to his pre-conceptions about natural human desires and ideals, that is, human nature, and about God's perfect will, that is, morality.

Paine's Deistic emphasis on the importance of the Creation and reason for morality has been shown not to have necessitated an endorsement of thorough-going Newtonian Deism. One presupposition of Paine's about God's benevolence - that he made nothing in vain (A.R.I, I, p.491) - suggested to him that the

principles of the natural universe which were intelligible to men were intended for their instruction (A.R.I, I, p.504). An assumption related to this, which was not derived from Nature but was needed if Nature was to be seen as revelation, was the belief that God would not deceive man in the orderly provision of clear, distinct and consistent ideas (L.E, II, p.737). A study of the open book that was the creation could, consequently not only demonstrate the existence of God, but could also give a knowledge of His power, in the immensity of the Creation, and of His wisdom, in the unchangeable order by which the incomprehensible whole was governed (A.R.I, I, pp.499-503 & p.483, E.P, II, p.882, E.G, II, pp.749-50, L.A, II, p1437). Natural philosophy, the true theology, could not discover a detailed code of ethics, but it could, through the cosmic laws and order that was Nature (P.P, II, p.793) discover, better than could abstract reasoning, some of the very broad aspects of God's moral perfection which substantiated the individual's own moral conceptions. The Creation was of most significance in supplementing conscience, in teaching the attributes of benevolence (A.R.I, I, p.506 & p.512, E.P, II, p.882, p.891 & p.893), and mercy (L.A, II, p.1438, E.G, II, p.750, E.P, II, p.882, A.R.I, I, p.483, II, p.834), and in demonstrating Divine justice in the basic human equality revealed by His equal application of benevolence, mercy and forbearance throughout mankind (P.P, II, p.797 & p.792). Thus "the moral duty of man consists in imitating the moral goodness and beneficence of God, manifested in the creation, towards all his creatures. That seeing, as we daily do, the goodness of God to all men, it is an example calling upon all men to practise the same toward each other.... "(A.R.I, I, p.512). "From the goodness of God to all, he learns his duty to his fellowman" (II ,p.1485). The Creation taught benevolence and, moreover, the equality of man, and so it taught equal respect and equal moral obligation. Thus it was to natural theology that Paine attributed the "vast superiority of mind, that sublimity of right reasoning and justness of ideas" in Cicero, with whose idea of moral natural

laws he agreed (E.P, II, p.885, c.f.ibid, p.886).

An essential characteristic of Deism, to Paine, was its emphasis on the benignity of God; on "his moral attributes, those of justice and goodness" (II, pp.894-5), and these attributes were illustrated by the universal faculty of reason with which all men could contemplate the Creation (A.R.I, I, p.490, P.P, II, p.802). In contrast to the Puritan emphasis on the omnipotence of God which was associated with the idea of original sin, Paine did not stress God's power and wisdom for their own sake, but emphasised instead His benevolence which was demonstrated both directly, and indirectly through his power and wisdom, and which restricted the exercise of His power. This account of God Conway called a "remarkable Zoroastrian variation" of Theism (76, p.244, c.f.ibid, p.256). It was because his belief in God's benevolence was derived from presupposition and not from natural philosophy, that Paine could be selective in demonstrating the evidence that was in Nature for the character of God. It was only, for instance, upon the assumption that God had a governing, benevolent intention (A.R.II, I, p.604), that he could believe that variations in Divine revelation were inconceivable because they represented imperfection of judgment; "In that vast volume we see nothing to give us the idea of a changeable, passionate or vindictive God" (II, p.1397). By not reasoning from Nature, but instead by selecting from it in the light of his presuppositions, Paine avoided a major problem common for Deism - the possibility that Nature was no less evil than was the Bible. This problem was pointed out by Richard Watson, Bishop of Llandaff, in An Apology for the Bible, in a Series of Letters Addressed to Thomas Paine, 1796, in reiteration of the arguments of Bishop Butler's The Analogy of Religion, Natural and Revealed, to the Constitution and Course of Nature, 1736. Conway said that it was "certain that Paine had grappled with Bishop Butler's argument against the Deists " in manuscripts now lost (2, vol.iv, p.259), but Clark pointed out that Paine's Deism has been further "undermined by the modern evolutionists' demonstration that nature is more cruel than the God of the Old Testament in

her indifference to the struggle for existence and the survival of the fittest" (115, p.318). Sykes suggested that the prominence of astronomy in Paine's catalogue of theological sciences may have accounted in part for his optimism " 'sans peur et sans reproche' " (100, p.133), but although Paine also believed that certain phenomena only seemed to be evil because human understanding was inadequate to appreciate their wider, far-reaching, significance (II, p.540; 14, n.p), he did not endorse the view of Pangloss, in Voltaire's Candide ou l'optimisme, 1759, that everything was for the best in the best of all possible worlds, one implication of which was resignation not only to physical, but also to all social and political evils. It was a weakness of Paine, however, to be by nature averse to dwelling upon "those occurrences which it is unpleasant to enquire into. I wish not to know more than I already know, nor indulge any other thoughts on the subjects than what may tend to abate the painfulness of remembrance" (14, n.p).

However, while for Paine Nature indicated the broad principles of morality, a perhaps more important role of Nature can also be distinguished. Paine saw Nature not as the object to which human behaviour should conform, but as the provider of a motive, or stimulus to the will. He did not discuss the interested motive to moral behaviour that was provided by the desire for heavenly reward and the aversion to a future punishment, but he believed that an appreciation by the individual of the benevolence of God in His gifts to man of free will, and moral and rational capacities, combined with the knowledge of moral equality that was taught by Nature, could allow a proper self-appreciation on the part of individuals, and could consequently encourage a realisation of their capacities in accordance with the sense of honour and dignity which impelled them to do justice to themselves. God revealed Himself in the Creation, and, wrote Paine in quotation of Conyers Middleton:

From this the reason of man was enabled to trace out his nature and attributes, and by a gradual deduction of consequences, to learn his own nature also, with all the duties belonging to it, which relate either to God or to his fellow-creatures" (my emphasis) (E.P, II, P.883, c.f.52, p.137).

Awareness of God and of His Creation should, therefore, lead to self-awareness and a strengthening of the sense of responsibility which activated good conduct.

Were man impressed as fully and as strongly as he ought to be with the belief of a God, his moral life would be regulated by the force of that belief; he would stand in awe of God and of himself, and would not do the thing that could not be concealed from either (my emphasis). To give this belief the full opportunity of force, it is necessary that it acts alone. This is Deism (A.R.II, I, p.601).

On the other hand, of all religions

There is none more derogatory to the Almighty, more unedifying to man, than Christianity which "renders the heart torpid" (A.R.II, I, p.600).

Furthermore, a full awareness of God not only motivated good behaviour indirectly, through increased self-awareness, but it also directly supplied a religious impetus towards such behaviour. Paine believed not that just and virtuous conduct lay in a rational appreciation of the scientific principles of Nature and in a disciplined conformity to them, but that such conduct would be inspired by feelings of wonder and admiration, of gratitude and devotion, to the benevolent Creator. "Great objects inspire great thoughts; great magnificence excites great gratitude" (A.R.II, I, p.602), and "if objects for gratitude and admiration are our desire, do they not present themselves every hour to our eyes? Do we not see a fair creation prepared to receive us the instant we are born" (A.R.I, I, p.472). Surely, Paine believed, "the first act of man, when he looked around and saw himself a creature which he did not make, and a world furnished for his reception, must have been devotion" (R.M.I, I, p.316). He did not see the study of the Creation, therefore, simply as a rational inquiry directed towards conforming to Nature's imperative laws, for he believed that there could be a desire to imitate the Creator in social behaviour. Despite Derry's assertion that a "sense of wonder, mystery and awe was wholly alien to his temperament" (195,48) Paine believed that there could be an awe and gratitude by which man could be moved, and his social dispositions then informed by the spirit of the Creator expressed in the Creation. The Creation "inspires him with reverence and

gratitude" (II, p.1485), and "reason calls forth the devotional gratitude of man as well as his admiration" (A.R.I, I, p.503). Paine professed a "religion of gratitude and adoration, and not of prayer and discontented solicitation" (P.L, II, p.776), because, he said in quotation of George Smith's "The Use and Abuse of Freemasonry, 1783", "from the wonders of nature, we are led to contemplate their great Original and worship Him from His mighty works; and we are thereby also moved to exercise those moral and social virtues which become mankind" (my emphasis) (II, p.838).

Thus, at the centre of Paine's religious concern was not the universe and its laws, as is implied by the Newtonian interpretation of his thought, but a relationship between God and man. Only on this basis, can be appreciated; first, his distinction between, rather than confusion of, cosmic, scientific principles and moral, social and political principles, secondly, his aesthetic, in addition to his rational, response to the Creation which was an impression of the feelings and the will and not of the understanding, and thirdly, his concern that natural philosophy should study not only scientific principles, but also the benevolent design that lay behind, and was expressed through, those principles; that is, "the study of theology in the works of the creation....looking through the works of creation to the Creator himself" (E.G, III, p.750), "looking through nature up to nature's God (P.P, II, p.793), which was simply one, although a very important, instance of Paine's general belief in tracing things to their origin (5).

Consequently, natural philosophy, as the study of the Divine revelation which was the Creation, instructed man not only in scientific principles of practical value, and in the wisdom of God, but also in His benevolence, making natural theology "the most delightful and entertaining of all studies" (W.C.B. II, p.756). The nature to which man should conform was not the cosmic order but his own, better nature, and this fulfilment of the self, and so of God's intentions, followed the continuous disposition towards, or spirit of, moral behaviour which could be inspired in all people by a continuing grateful

appreciation of the Creator as He expressed Himself through the Creation. The wisdom and benevolence of God was manifested, above all, in the design of the Creation, and practical instruction and moral inspiration could be combined in natural philosophy which, "while it improved him in knowledge useful to himself as a man and a member of society, as well as entertaining, afford far better matter for impressing him with a knowledge of, and a belief in, the Creator, and of the reverence and gratitude that man owes to Him" (A.R.II, I, p.603); "any employment he followed, that had any connection with the principles of the creation, as everything of agriculture, of science and of the mechanical arts has, would teach him more of God, and of the gratitude he owes to Him" (*ibid*, p.602). Once Paine saw that Nature

accorded with the values which he assumed were universally desired and respected, and which determined his conception of God, he could point to it as Divine revelation, and as a guide to moral conduct, and, through gratitude, as an inspiration to such behaviour.

The Almighty Lecturer, by displaying the principles of science in the structure of the universe, has invited man to study and to imitation....He can now provide for his own comfort, AND LEARN FROM MY MUNIFICENCE TO ALL, TO BE KIND TO EACH OTHER (A.R.I, I, p.490).

By adherence to the belief in one God, the material pursuits of all men could be inextricably linked with, and restrained by, the inspiration to moral conduct furnished by contemplation of the wisdom and power, and thus the benevolence, of God. The "farmer of the field, though he cannot calculate eclipses, is as sensible of it as the philosophical astronomer. He sees the God of order in every part of the visible universe" (P.P, II, p.816, c.f. R.M.I, I, p.316), and through natural philosophy, the

mechanic of every profession will there be taught the mathematical principles necessary to render him a proficient in his art; the cultivator will there see developed the principles of vegetation; while, at the same time, they will be led to see the hand of God in all these things (W.C.B, II, p.756).

3. The Missing Ethics

Paine considered that religion had two interconnected aspects; the intellectual part, or a belief in God, and a personal relationship with

Him, and a practical part, the practice of moral truth, or acting towards one another as God acted towards all (A.R.I, I, p.506, W.C.B, II, p.757). The appropriate point has been reached for a discussion of what is called here, Paine's "missing ethics", because of the neglect of his idea of justice which is summed up in Mursey-Bray's assertions; "There is no carefully enunciated ethical principle in Paine's work as there is in Godwin's, where justice is always present" (103, p.129), "natural rights would seem to comprehend the whole of his ethical system" (ibid, p.128). Paine's moral beliefs can be found in his continuing critical social and political writing, as well as in his writings on religion in the 1790s. His idea of justice can be seen in terms of natural laws, or self-evident, eternal moral precepts which were known independently by the conscience of every individual person, and which, in the most general form, were portrayed in the Creation. Paine said that "Justice is one uniform attribute, which existing in the man or in the multitude, is always the same, and produce the same consequences" (S.A.L.II, II, p.289), and "Moral principle speaks universally for itself" (A.R.I, I, p.510). The implication for a universal morality of some fundamental human equality as the basic element of justice, was a belief that he shared with, for instance, the Stoic thinkers, and he introduced into his Examination of the Prophecies, Middleton's quotation from Cicero's De Republica (Bk.III):

The true law is right reason, conformable to the nature of things, constant, eternal, diffused through all, which calls us to duty by commanding, deters us from sin by forbidding; which never loses its influence with the good, nor ever preserves it with the wicked. This law cannot be over-ruled by any other, nor abrogated in whole or in part; nor can we be absolved from it either by the Senate or the people; nor are we to seek any other comment or interpreter of it but Himself; nor can there be one law at Rome and another at Athens; one now and another hereafter; but the same eternal immutable law comprehends all nations at all times, under one common master and governor of all - God. He is the inventor, propounder, enactor of this law, and whoever will not obey it must first renounce himself and throw off the nature of man..." (II, p.885).

The search for religious, and thus moral, truth was seen by Paine as the first duty of man to himself, which should be executed as an act of reverence,

out of a desire not to misrepresent God (6). Man's duty, and his real happiness, then lay in imitating in social life God's justice, mercy and benevolence; "Truth ought to be the object of every man; for without truth there can be no real happiness to a thoughtful mind or any assurance of happiness thereafter. It is the duty of man to obtain all the knowledge he can, and then make the best use of it " (P.P, II, pp.809-10).

The underlying first precept of natural justice for Paine, as for many American writers, for Voltaire, and for Deists in general (215, p.109; 166, p.368) was the Christian precept which, as a disposition and as a procedural rule, could provide substantive moral guidance in particular situations; do unto others as you would they do unto you (R.M.I, I, p.275, A.R.II, I, p.598, A.S.A II, p.17). It was Paine's belief that no person could morally demand of another what he would not demand of himself if he was in the same situation, that was responsible for his emphasis on sincerity and conviction. People should objectively seek how they themselves would really wish to be treated, rather than follow whim or fall into self-deception. Thus, for instance, the American colonists could not, morally, complain of their own colonial enslavement while they themselves continued to enslave negroes (A.S.A , II, p.18), and, Paine said to the Rhode Islanders; "compare your situation with the circumstances of thousands around you, and then ask your conscience whether your conduct is right" (L.R.I, V, II, p.359). Paine could believe in this first procedural rule of justice, similar to John Rawls's concept of justice as fairness, only because of his assumption that there were some basic needs, desires and aspirations which were common to all men (251, pp.131-3, & passim).

Certain precepts which followed from the first rule of justice were also natural laws, independently know, in their own right. Paine proscribed persecution and the doing of harm to other people (A.R.I, I, p.512, II, p.810) and so disutility might suggest injustice since "no creature was ever intended to be miserable" (II, p.1120). Justice also counselled forbearance (A.R.II, I, p.599, II, p.1275), giving every man his due (c.f.63, p.248) the keeping of

promises and contracts (L.R.I.V, II, p.357), and just deserts, particular instances of which were respect for sincerity and merit in others (L.R.II, p.215), literary copyright (ibid, p.215), the fair representation of character (C.P.VII, I, pp.142-3 & p.150), and gratitude and the acknowledgment of benefit by return, or to oblige and be obliged (P.P, II, p.806). The essence of Paine's idea of justice, containing the two precepts of 'do unto others....' and 'give every man his due', both of which presupposed moral equality, can be seen as equity and impartiality (242, pp.172-8). Equity demanded that when deciding social treatment or conduct, not only should the individuals concerned be given equal consideration, but, also, that only relevant criteria and distinctions between them should be taken into account for the purpose of discrimination. Thus, for instance, the belief that "God visits the sins of the fathers upon the children" was "contrary to every principle of moral justice" (A.R.I, I, p.466) for the innocent should not be taken for guilty, even when the innocent person offered himself (A.R.I, I, p.481), and sharing between the tithe-holder and the parishioner only the rewards, and not the costs of land improvement, was inequitable (R.M.I, I, p.290). Given that discrimination could be justified only by relevant, and not arbitrary, distinctions, treatment of the individuals should subsequently be impartial. That is, the principle of equity should be applied impartially, and there should be impartial treatment of similar cases. For Paine, public justice, which was no different to private justice (S.A.L, II, II, p.289) "knows no distinctions of persons; the moment it begins to discriminate it loses its rank and assumes the contrary side" (73,p.60).

The spirit of justice should indicate not severity, but mildness and benignity, in the application of justice (II,p.1352). Mercy was a moral associate of duty (L.S, II, p.744 & p.738), and was in contrast to retaliation and acts of revenge (A.R.II, I, p.598, A.R.I, I, p.481, C.S.III, II, p.556). Thus, the rule of justice, as just desert, could be mitigated, although not contravened by the humanitarian consideration of mercy. Paine's opposition to revenge,

and support for mercy, cohered with his emphasis on distinguishing principles from the people who operated under them, and with his desire that battles should be fought between principles only (R.M.I, I, p.258, L.A, II, p.1436). Although Foner suggested that Paine defended Louis XVI against execution primarily out of prudence and gratitude (1, vol.i, p.xxxiv), Paine in fact gave as his first reason, "compassion for the unfortunate" (C.S.II, II, p.551, c.f.C.S.III, II, p.556 & A.M.E, II, p.544), regarding the execution as an instance of the vengeance for which the old regime was condemned, besides pointing to the influence upon Louis of his upbringing and situation, and to his popular recall after his flight to Varennes.

Paine said that religious duties comprised "doing justice, loving mercy, and endeavouring to make our fellow creatures happy" (A.R.I, I, p.464). Contrary to the negative character of the first law of nature in Hobbes' Leviathan, 1651; "do not that to another which you would not have done to yourself", the precept 'do unto others....' suggested to Paine a morality which went beyond the minimal obligations of justice in inter-personal relations. Although not strictly a moral duty, benevolence was an important element of moral virtue and, as a practical part of religion, it was extensively demonstrated in the Creation (A.R.I, I, p.464, A.J,I, p.609, W.C.B, II, p.757). Benevolence consisted in actions which were aimed directly at the happiness of other people, or at justice and so, indirectly, at happiness. By universal philanthropy, Paine said "I do not mean merely the sentimental benevolence of wishing well, but the practical benevolence of doing good" (L.A, II, p.1438). He saw Christ as a model of a benevolent person, "trop peu imité, trop oublié, trop méconnu" (2, vol.iv, p.3), and "the morality that he preached and practised was of the most benevolent kind" (A.R.I, I, p.467). "The great trait in his character was philanthropy" (ibid, p.478), and he "called men to the practice of moral virtues and the belief of one God" (ibid, p.469). Consequently, the "religion of humanity" which Paine wrote of as the benevolent, as well as the

merely just, character of Christian morality (C.P.VII, I, p.142), should be distinguished from the later use of that phrase by the French Positivist Auguste Comte (1798-1857) in Système de Politique Positive, 1851, for whom humanity replaced God as the object of worship. Clark, in agreement with Conway's assertions about the Christian nature of Paine's religion of humanity (76, pp.235-45), admitted that the "exalted and charitable morality he preached, inculcating man's imitation of God's benevolence, was surely based on Christianity, as his best-intentioned opponents agreed.....And in the light of Unitarianism and modern liberal theology, it appears that Paine was far more of a Christian than he himself believed" (7). However, it is because the interpreters of Paine as a Deist have tended to incorporate his idea of justice into his humanitarianism that they have subsequently failed to locate the position and importance of his idea of justice which should be distinguished from his humanitarianism and his idea of a specifically benevolent morality.

Paine did not present an explicit code of morals. He was first stimulated to write in response to a political situation in which there was neither the time nor the need to elaborate an ethical treatise. The influence of his Quaker upbringing, and his observation of the "common usage universally assented to" (R.M.II, I, p.358), confirmed in him a belief in the self-evident and generally agreed nature of the principles of justice. Not until 1793 and the degeneration of the French revolution did he turn to writing at any length on religious and moral subjects. He believed not that moral behaviour was the product of learning and rigidly following a speculative and detailed code, but that it could follow from a personal conviction of the justness of general moral principles, and from the ensuing practical disposition to act according to those principles. Consequently, the principles of justice in Paine's writings which have been mentioned so far, were general principles whose substantive directives could only be appreciated in actual situations. Hence also, while in one sense natural justice as divorced from, and could be apprehended independently of, particular social circumstances, in another sense the very self-evidence of the principles and

"the spirit of universal justice" which they inspired (P.C, II, p.306), ensured that justice could be embodied in the habitual modes of conduct and conventions of a society, such as for Quakers, on a small scale and, on a larger scale, perhaps for Americans in the 1770s (8). Paine could not presume to be a moral teacher because, apart from the possible personal influence of his own domestic failings, (the reasons for his separation from his second wife remain a mystery), his principle was that no person or sect could claim to have an exceptional access to religious or moral truths, and the acceptance of such truths should be based not on trust but on personal realisation; he considered that similar moral systems "to that of Christ had been preached by Confucius, and by some of the Greek philosophers many years before; by the Quakers since; and by many good men in all ages" (A.H.I, I, p.467, c.f. E.G, II, pp.748-55). Consequently, on the one hand there can be found in Paine's writings many references to Christian moral precepts and to popular maxims and pithy proverbs which he believed were, in contrast to the self-disciplined observance of an ethical text, the natural expressions of morality and of moral prudence (9). On the otherhand, his belief after 1792 that conventional religions were responsible for immorality, caused him to try to demonstrate the existence of God, and so to supplement other religions in the inspiration of moral behaviour, and also to indicate the means, in natural philosophy, by which all people could for themselves supplement the voice of their own consciences in the enunciation of moral principles. Although he could no longer publicly acquiesce in the Christian religion, because of his rejection of biblical revelation and because of the support which the established churches in France and Britain provided for the old political institutions, he retained much of the moral creed of Christ as the content of his conceptions of the universal natural justice which he believed was demonstrated by the Creation. Consequently, he both endorsed, but also denied the uniqueness of, the specifically Christian morality -

As a book of morals, there are several parts of the New Testament that are good, but they are no other than what had been preached in the Eastern world, several hundred years before Christ was born. Confucius....says, 'Acknowledge thy benefits by return of benefits, but never revenge injuries' (P.P, II, pp.805-6).

Paine repeated in 'African Slavery in America' the Christian moral precepts with which he agreed (II, p.17), and in 1795 he said that he rejected only those precepts which he believed were injurious to morality, and which he called "feigned and fabulous morality" (A.R.II, I, pp.597-8). While he would have approved of Jefferson's compilation in 1813 and 1819 of the maxims and parables on the New Testament, in 'The Life and Morals of Jesus of Nazareth', the poet William Blake, for instance, recognised that his chief religious concern was, as for Rousseau, not with the authorship of, or the evidence for, Biblical stories, but with the observance of the morals of the Bible as a book of examples and sentiments; "Mr.Paine has not extinguish'd, and cannot Extinguish Moral Rectitude; he has Extinguish'd Superstition, which took the place of Moral Rectitude" (48, p.384, c.f. ibid, p.386). Thus, for John Derry -

Paine offered a simple faith to those who were repelled by orthodox Christianity, whether of Church or Chapel; a faith which imposed the minimum of doctrinal texts....its morality was no more than a diluted form of traditional Christian values amended by Tom Paine in the light of what he imagined Jesus Christ to have been. Paine never realised that the insights which he claimed to have direct from nature were largely echoes of Biblical revelation. (195, p.42).

4. Nature and Equality

Paine's moral conception of religion can only be fully understood on the basis of an appreciation of his profession of faith :

I believe in one God, and no more; and I hope for happiness beyond this life. I believe in the equality of man; and I believe that religious duties consist in doing justice, loving mercy, and endeavouring to make our fellow creatures happy. (A.R.I, I, p.464).

Paine believed not just in equality before the law as opposed to political privileges, but in equality in some more fundamental, moral sense, irrespective of social status. This "spirit of egalitarianism" which "pervaded the whole" of his work and was responsible for his "denial of the legitimacy of

certain kinds of existing discrimination" (103, p.15) as not an assertion of an equal capacity for sensations of pleasure and pain, or of an equal ability to calculate self-interest. Nor was it derived from the efficient scientific principle of equal treatment of material. The proclamation of his idea of equality was what Paine saw as the greatest achievement of the French revolution (A.J, I, p.606), and so it should be seen against the background of the sense of some abstract, universal, human equality that Tocqueville regarded as the religious aspect of that revolution most akin to Christianity (70, pp.10-13) or of the view of Bernard Fay that what was original in the revolution was the religious fervour with which old ideas such as natural rights were treated as universal and eternal truths independent of local circumstances and traditions (230, p.474). Paine saw his belief as a moral proposition which should not be questioned, for there

are some points so clear and definitive in themselves that they suffer by any attempt to prove them. He who should offer to prove the being of a God, would deserve to be turned out of company for insulting his maker. Therefore, what I have or may yet offer on the equality of rights is not by way of proof but illustration (S.A.L, I, II, p.286).

Despite his pointing to the equal benevolence of God as evidence for it (o.f.II, pp.21-2), Paine saw the principle of the equal rights of man, like the idea of the very existence of God, as "too obvious to admit of argument" (A.F.S, II, p.522). The religious and moral belief of Common Sense, in "mankind being originally equals in the order of creation" (I, p.9) was expressed by him in the concrete formula of an equality of natural rights, first discussed in 'Candid and Critical Remarks', 1777, so that he could say in Rights of Man I: "Every history of the creation, and every traditionary account....agree in establishing one point....that all men are born equal and with equal natural rights" (I, p.274). He wrote about the "illuminating and divine principle of the equal rights of man" (ibid) because "on reconnaisait l'egalité des droits comme un principe sacré et indispensable" (10, p.112). Consequently Conway can be seen to be justified in his statement that Paine's "principle of the rights of man was founded in the religious axiom of his age that all men derived existence from a divine maker. To say men are born equal means that they are created equal" (10).

On his fundamentally religious and moral postulate of equal natural rights, rather than on the premises of Newtonian Deism, Paine constructed his social and political thought, and although he only published his religious opinions after 1792, he said in 1794; "When....I turned my thoughts towards matters of government, I had to form a system for myself that accorded with the moral and philosophic principles in which I have been educated" (A.R.I, I, p.496). Similar to the stimulus to the elaboration of his Deism that was provided by reflection upon the contemporary state of irreligion and injustice, was the formulation of his fundamental political principles in response to political injustice (4, p.240), and of his social ideas in response to observation of social injustice and inhumanity. Only on an understanding that the basis of Paine's political thought was not scientific but moral, can the role of Nature, and his selective references to the natural universe as a standard for government, be seen in perspective. Besides placing restraints on human endeavour or art (P.T, II, p.330, II, p.561 & p.903, L.A.C.V, II, p.928), nature in the physical universe supplied a mode of thought and concepts directly applicable to the science of organising the social, economic and political systems within their moral constraints (D.C, II, p.379 & p.412). It also supplied analogies which could be used for clarification and for the endorsement of moral and political arguments with the popular eighteenth-century seal of scientific approval and, often, by implication, of Divine authority. British rule of America, for instance, was contrary "to the universal order of things" (C.S, I, p.23) because "in no instance has nature made the satellite larger than its primary planet" (*ibid.*, p.24), and "It is only by organising civilisation upon such principles as to act like a system of pulleys, that the whole weight of misery can be removed" (A.J, I, p.618).

Nature was not a standard, to be indiscriminately imitated, or conformed to, in the social and political spheres, and the selection of its features which might be of some use was based on the criteria of justice and humanity.

Thus Adkins commented :

Although we may acknowledge Paine's indebtedness to a Newtonian concept of the universe in his deistical thinking..... At best his acceptance of a Newtonian universe, far from having played a major role in shaping his political theories served mainly as an indirect means of supporting, through analogy, social and governmental ideas arrived at by wholly different means" (93, p.xiv).

While Paine said that he drew his idea of the form of government "from a principle in nature which no art can overturn, viz., that the more simple anything is, the less liable it is to be disordered, and the easier repaired when disordered" (C.S, I, p.6), he condemned absolute government, which was simple (*ibid*, p.7) first and foremost on the grounds of natural rights. He also denied the belief in the naturalness of fixed social and political hierarchies which could possibly be derived from the specific application of the abstract idea of a chain of being to the substance of relationships within societies, and he proposed the redress of physically-determined social inequalities on the principles of justice and humanity. He rejected as a principle of good government the idea of checks and balances which, for several eighteenth century thinkers, was implied by the similar construction of the solar system . He initially proposed unicameralism as the alternative, as a point of rights and not of simplicity, and then modified this proposal in the light of experience and not of the principles of cosmic harmony. By reasoning in the first instance from religious and moral assumptions and not from Nature, Paine could explain and justify the disorderly aspects of Nature as having been specifically designed by the Creator in order to ensure that rational utilitarian conduct coincided with moral behaviour. The distribution throughout the world of the physical resources that were necessary to meet man's needs, encouraged commerce which was an important agent of international peace, and the random distribution within societies of talents and virtues ensured that the most efficient system of government was that representative system which conformed to the moral principle of equal rights (11). Thus Paine,

recognition, and acceptance, of some of the irregularities of nature can be fully appreciated only in the light of their significance for, and demonstration of, the full extent of the wisdom and benevolence of God, and the good fortune of man.

In summary, it can be said that Paine believed that human nature was universally compounded of certain, contrary elements - rationality and credulity, selfishness and virtue - which were susceptible to retardation and development depending on the circumstances of the individual. Although reason was not a panacea for all social problems, social agreement and harmony were possible if people exercised the better elements in their natures. An important contribution towards this fulfilment of potential could be made by natural philosophy, the true theology which, Paine explained in the 1790s, provided a stimulus to moral conduct, even though the cosmic universe was not the source of moral values or of obligation. His formulation of justice was a largely Christian one, with an emphasis on benevolence. Justice was often compatible with prudence, and it harmonised with real interest, although the two were not identifiable. Paine's first principles of government were not scientific laws derived by natural philosophy, but they might instead be likened to the principles of mathematics, for they were axioms, based on the certainty of his underlying religious and moral presuppositions concerning a benevolent God, and the equality of natural rights. The influence of Newtonian science on practical considerations of government was thus confined within, and controlled by, the fundamental moral framework.

The foregoing exposition of Paine's beliefs about God, nature and human nature should be seen as a groundwork for the discussion in the next chapter of Paine's distinction between, and his general ideas about, society and government.

NOTES AND REFERENCES TO CHAPTER ONE

1. Paine suggested in Case of the Officers of Excise that necessity could subdue the conscience of someone for whom poverty was a stimulus to crime; "The tenderness of conscience is too often overmatched by sharpness of want; and principle, like chastity, yields with just enough reluctance to excuse itself" (II, p.8); "objects appear under new colours, and in shapes not naturally their own" (ibid. p.10). Could the rich "descend to the cold regions of want, the circle of polar poverty, they would find their opinions changing with the climate" (ibid. p.9). Thus there "are habits of thinking peculiar to different conditions, and to find them out is truly to study mankind" (ibid.), for as "a man's ideas are generally produced in him by his present situation and condition, it will naturally follow that if you investigate his situation you will get into the channel his thoughts run in, and find their source, direction and extent" (L.B.III, II, p.426, c.f.S.A.L, I, II, p.286).

See p.176 & p.246 below, for the influence of the physical environment. Regarding national situation, Paine said in 1803 that since, by then, the Louisianans had "been transferred backward and forward several times from one European government to another it is natural to conclude they have no fixed prejudices with respect to foreign attachments, and this puts them in a fit disposition "for incorporation into the United States of America. (II, p.1446).d See also R.M.I, I, p.245, R.M.II, I, p.352 & p.396, and C.P.VI, I, p.136.

2. See C.P.X, I, p.189; L.A.A, II, p.479; II, pp.1021-2.

For enlightenment thinkers in general,

deception has its origin in the senses or in the imagination.... the intellect can decide for itself whether it wishes to follow an impulse of the senses or surrender to the imagination, or refuse to do either....It can and should reserve its decision if available data are insufficient for a genuine formation of judgment and for the attainment of complete certainty. It is only when the intellect decides prematurely, when it permits itself to be forced to make an assertion without having in hand the necessary premises, that it falls prone to error and uncertainty; no mere shortcomings of the mind are now involved but rather guilt of the will. It is the task of the will to guide the path of knowledge: and this faculty possesses the power to protect knowledge from all aberration in that it confronts knowledge with the general and inviolable demand never to pronounce judgment except on the basis of clear and distinct ideas (226, p.162)

3. Clark's account (96, p.ix & 95, p.412) is similar to that given by Parrington (162, p.329) and by Elliston, who said:

The degree to which Paine is primarily a rationalist and utilitarian rather than an ardent populist, nationalist, or humanitarian is demonstrated in the unabashed pragmatism and appeal to commercial advantage of many of his arguments (178, no.4,p.24).

Interpretations of Paine's colonial propaganda tend to be derived from a general view of the cause of the revolution or of the aims of the revolutionaries. Rossiter believed:

Many colonists who were convinced that America was entitled 'by reason and by justice' to seek independence had also to be convinced that they would be as well if not better off commercially. Paine's recital of grievances, abuse of monarchy, and interpretation of the 'voice of nature and reason' were crushing blows for independence, but the most crushing of all was his simple remark, 'our corn will fetch its price in any market in Europe' (166, p.346).

The colonists' cause, for Elliston, was

not democracy, not America, not the common man, not even freedom as it is commonly interpreted, but something to do with 'reason'. What they were for was a certain kind of society that conformed to their sense of reason and nature; and what they hated....was the individuality and contrariness to nature of the English feudal-aristocratic tradition (178, no.3, p.4). (The) rationalistic belief in the intrinsic harmony of nature was more easy to believe in the New World than in the corrupt old one. The colonists might really believe that a political society could be set upon an entirely rational basis, like the Newtonian solar system (ibid, p.6).

Elliston believed that the colonists consequently conducted their revolution with moderation and restraint; "the rationalist revolution of 1775 seems in its pamphleteering side strangely devoid of....violence of sentiment" (ibid, p.8), but then on, for instance, Brailsford's opinion of the writings (see pp.10-11 above), Paine must be set aside from this account of the revolution.

4. P.P, II, p.825, c.f.L.E, II, p.733, p.734, p.738 & p.739, II, p.1398, A.R.II, I, p.523,& pp.528-9.

The fact that a personal moral outlook, derived independently of natural philosophy, lay behind Paine's religious and political philosophy, is revealed in his account of his reaction, when about seven or eight years old, to a sermon read by a relation

upon the subject of what is called redemption by the death of the Son of God.

After the sermon was ended....I revolted at the recollection of what I had heard, and thought to myself that it was making God Almighty act like a passionate man who killed His son when he could not revenge Himself in any other way..... I could not see for what purpose they preached such sermons.

This was not one of that kind of thoughts that had anything in it of childish levity; it was to me a serious reflection, arising from the idea I had that God was too good to do such an action, and also too almighty to be under any necessity of doing it. I believe in the same manner at this moment. (A.R.I, I, p.497).

Thus Conway believed that the

force of 'The Age of Reason' is not in its theology....For abstract theology he cares little....He evinces regret that the New Testament, containing so many elevated moral precepts, should, by leaning on supposed prophecies in the Old Testament, have been burdened with its barbarities (76, p.244).

His affirmations of the human deity are thus mainly expressed in his vehement denials (ibid), (and his religion) is expressed largely in these same denunciations which theologians resent.... (The Age of Reason) is not a mere book - it is a man's heart (ibid, p.245).

Paine's book is the uprising of the human HEART against the Religion of Inhumanity (ibid, p.235).

He affirmed a Religion based on the authentic divinity of that which is supreme in human nature and distinctive of it. The sense of right, justice, love, mercy....this spirit judges all things - all alleged revelations. all gods (ibid, p.244).

5. Not only did Paine express a romantic appreciation of the spirit conveyed by the rational principles of the Newtonian universe (c.f.R.L.II, p.776, A.R.I, I, p.474), but his generally suppressed poetic imagination responded to the expansiveness of natural history, despite the opinion - "the complete absence in him of any sense of beauty or grandeur" - of the Cambridge History of Economic Literature (225, p.48). In contrast to the "gloomy doctrine of the resurrection" (A.R.II, I, p.591, R.L, II, p.784), Paine suggested :

One of the finest scenes and subjects of religious contemplation is to walk into the woods and fields, and survey the works of the God of the Creation. The wide expanse of heaven, the earth covered with verdure, the lofty forest, the waving corn, the magnificent roll of mighty rivers, and the murmuring melody of the cheerful brooks, are scenes that inspire the mind with gratitude and delight (P.P, II, p.804, c.f.ibid, p.805 & A.R.I, I, p.498).

Paine was acquainted with The Seasons, 1730, a Deistical account of nature by the poet James Thomson (1700-48), and his familiarity with Joseph Addison's 'Nineteenth Psalm' (A.R.I, I, p.485, E.P, II, p.890) suggests that he might have seen other writings of Addison that were also published in the Spectator and which emphasised the happy impression made by the creation upon the senses (e.g. 25, vol.iii, pp.475-6, & vol.iv, p.143).

6. A.R.I, I, pp.493-4, L.E, II, p.729 & p.738, W.C.B, II, p.758, PP, II, pp.816-7, E.P, II, p.848.
7. 95, p.xxxiii.

Apart from showing no spirit of revenge himself, after his imprisonment and near-execution in France, Paine often referred to both justice and humanity in his appeals for various causes, such as in the signatures to his early Pennsylvania Magazine articles. Not only did the idea of equality lead him to uphold political justice, but he was also concerned about such humanitarian considerations as the treatment of the natives in India, the West Indies and America. Without endorsing Conway's claim

that "to Thomas Paine belongs the honour of being the first American abolitionist" of negro slavery (2, vol.i, p.2), it might be said that "few, especially in America, went as far as Paine in advocating complete abolition at home" (95, p.lxxxvii). Herbert Morais considered that "The Age of Reason was inspired by a deep feeling of devotion for humanity. So profound was his love for mankind that his work assumed a religious flavour" (159, pp.163-4). Paine was also continuously active in the cause of international peace, discussed below (chapter 5, section 3), and Clark believed that

Probably the most significant aspect of Paine's humanitarianism is his attempt to secure some measure of social security for the mass of the people. In this he stands at the beginning of the movement which since has come to be the most important feature of the modern state" (95, p.lxxxviii).

Humanitarianism could also be seen in Paine's appeals against duelling and capital punishment, his emphasis on the usefulness of research, his interest in yellow fever, his financial disinterest, and his many personal acts of generosity. Clark believed; "Today, the most effective and appealing part of Paine's whole creed is the practicality of his humanitarianism" (*ibid.*, p.lxxxi); his "efforts in the interests of peaceful reform touched at one time or another most phases of the rising humanitarian movement in the last quarter of the eighteenth century" (*ibid.*, p.lxxxv).

8. See below pp. 175-6.

9. See A.R.II,I, p.598.

Paine followed to a lesser degree, Franklin who, in the preface to his Poor Richard's Almanac, 1743, claimed that he

constantly interspers'd 'moral' Sentences, 'prudent' Maxims, and 'wise' Sayings, many of them containing 'much good' Sense in 'very few' Words, and therefore apt to leave 'strong' and 'lasting' Impressions on the Memory of young Persons, whereby they may receive Benefit as long as they live (160, p.193).

Paine said, for instance, that the Book of Proverbs was "an instructive table of ethics" (A.R.I, I, p.474, c.f.A.R.II, I, p.597 & C.O.F, II, p.8), although they were "inferior in keenness" to the witty prudence of Don Quixote (A.R.I, I p.474, c.f.II, p.1341 & p.958, L.A.C, IV, II,p.924, L.A.C, VIII, II,p.949). The Commandments contained "good moral precepts" (A.R.I, I, p.466), but more "wise and economical" were Franklin's sayings about industry and economy, honesty and prudence. As for Aesop's Fables, "though the moral is in general just, the fable is often cruel; and the cruelty of the fable does more injury to the heart, especially in a child, than the moral does good to the judgment" (A.R.II, I, p.543).

Richard Gimbel found some evidence to suggest that Paine might have attached a list of twenty-five 'Maximes Republicaines' to Le Siecle de la Raison ou le Sens Commun Des Droits De L'Homme, the precursor of The Age of Reason I, one such maxim being; "There is some shame in being rich and happy in the sight of the poor" (125, pp.87-9).

10. 76, p.115.

Although Paine arraigned the union of Church and State, his ideal Republic was religious; it was based on a conception of equality based on the divine sonship of every man. This faith underlay equally his burden against claims to divine partiality by a 'Chosen People', a Priesthood, a Monarch' by the 'Grace of God', or an Aristocracy (2, vol.iv, p.5).

According to Paine, Christ "preached the most excellent morality and the equality of man" (A.R.I, I, p.469), and, according to Palmer,

(Some) ideas that seem recognizably Christian were more frequently expressed by persons who did not call themselves Christian, or were in fact called atheists by their enemies. There are more Biblical echoes in Thomas Paine than in Edmund Burke, appeals to Genesis and St.Paul to argue for human equality and the unity of mankind, to prove that 'every child born into the world must be considered as deriving its existence from God' (239, vol.ii, p.358, quoting from R.E.I, I, p.274).

Thus for Schneider, reviewing Clark's 'Representative Selections'

Clark justifies abundantly his emphasis on Paine's religious deism to offset Conway's earlier emphasis on his Quaker background. It is doubtful, however, whether he is justified in identifying as much as he does this deism with 'Newtonianism'. Though the popularisers of Newtonian science undoubtedly supported the faith in natural law, and though Paine was early on an enthusiast for natural science, there is much in his religious and political philosophy, especially in his 'ideology' and reliance on 'principles', which reflects the pre-Newtonian moralistic concepts of natural law. (139, p.247).

It seems reasonable to suppose that Paine's moral proposition of equal rights might have been influenced by his Quaker upbringing. The natural rights basis to his political thought was not accepted by Clark because he saw the idea in association with Conway's Quaker interpretation which he wished to replace by showing that the foundations of Paine's thought lay in the principles of Newtonian Deism. Consequently, Clark did not elaborate upon his initial admission :

Paine's belief in a benevolent Deity..., sense of brotherhood with all men, and its corollary, the sense of the equality of all men's rights.... could have come from Quakerism. There is every reason to believe, therefore, that he operated throughout life with Quaker attitudes and ideas in the back of his mind (95, p.xiv).

Similarly, Elder suggested that Paine reflected his Quakerism in his belief in the equality of man, but he subsequently endorsed Clark's thesis in which the belief in natural rights was a subsidiary aspect of Newtonian Deism (97, p.99).

11. For discussion of these beliefs of Paine, see below, especially pp.108-110 (monarchy and natural rights), pp.134-41 and pp.149-51 (checks and balances and unicameralism), pp. 227-8 and pp.233-4 (social proposals), and p.244 (commerce).

Hereditary monarchy was contrary to the order of nature which was a random distribution of human resources (R.M.II, I.367). To regard Paine's reference to the order of nature, here, as meaning the design of the cosmic universe, leads to misunderstanding, such as that of Adkins - "In asserting that 'nature is orderly in all her works', Paine is, of course, alluding to the order and design of the Newtonian universe, but it is not immediately evident how monarchy violates the Newtonian design of the universe" (93, p.xiii).

CHAPTER TWO *

FOUNDATIONS OF GOVERNMENT

Since Paine, in accordance with his general account of reasoning and knowledge, said that "To possess ourselves of a clear idea of what government is or ought to be, we must trace it to its origins" (R.M.I, I, p.278); this chapter elaborates, in section one, Paine's views about the character and status of pre-juridical society. Section two deals with his ideas about natural rights and their relationship to civil rights, and section three discusses his views about the overall need for government, and its relationship to society.

1. State of Nature

Paine used the conception of a state of nature, or natural society, as a device to enable him to expound his views on the legitimacy of government, and he discussed it primarily in Common Sense (I, pp.4-6), Rights of Man II (I, pp.357-9), and throughout the Crisis Papers. The state of nature was a pre-juridical society which Paine derived from his general views about human nature, and from his observations of society in England, and especially of the manner in which society drew together in America after the suspension of colonial authorities and before the legitimate establishment of state and national authorities; "I was struck with the order and decorum with which everything was conducted" (R.M.II, I, p.406, c.f.R.M.II, I, p.358). An individualist condition of natural liberty was mentioned in Common Sense (I, p.5) only in order to demonstrate that the development of society was natural to man and that, as was the case for John Locke, man could return to natural society from civil society, temporarily, without fear of anarchy. "Man is so naturally a creature of society that it is almost impossible to put him out of it" (R.M.II, I, p.358). "The instant formal government is

abolished, society begins to act" (ibid), and there was always enough of the principles of society to carry men "through any changes they may find necessary or convenient to make in their government" (ibid).

The main reason for society that Paine advanced in Common Sense was an interested need for specialisation, division of labour, and co-operation, and this idea, similar to that of Adam Smith in The Wealth of Nations (Bk.I, ch.II), 1776, was developed in Rights of Man II:

The mutual dependence and reciprocal interest which man has upon man and all parts of a civilised community upon each other, create that great chain of connection which holds it together.... As Nature created him for social life, she fitted him for the station she intended. In all cases she made his natural wants greater than his individual powers. No man is capable, without the aid of society, of supplying his own wants; and those wants acting upon every individual, impel the whole of them into society, as naturally as gravitation acts to a centre (I, p.357, c.f. C.S, I, p.5).

Paine did not postulate a complete natural identification of interests in the economic or social spheres, and he saw the American colonists as being peculiarly fortunate in having a physical environment which both inspired and impelled co-operation, and which prevented the pursuit of individual interests from leading to conflict over resources (1). However, apart from regarding the material necessity of co-operation as an indication that society itself was a good, intended by God, he also stressed, in Rights of Man, that it was the result not only of self-interest but also of man's natural social instinct and aversion to solitude; "men, as well from natural instinct, as from reciprocal benefits, have habituated themselves to social and civilised life" (R.M.I, I, p.358, c.f, C.S, I, p.51): "The genuine mind of man, thirsting for its native home, society...." (R.M.I, I, p.287).

(Nature) has not only forced man into society....but she has implanted in him a system of social affections, which, though not necessary to his existence, are essential to his happiness. There is no period in life when this love of society ceases to act. It begins and ends with our being (R.M.II, I, p.357).

Paine observed in the rebelling colonies the operation of social cohesion in opposition to immediate self-interest (c.f, 42, p.19), and he saw that man's

sociable nature, and not his prudent self-interest, was the ultimate guarantee of security of property (F.L, IV, II, p.87).

Where self-interest provided a basis for society and instigated human interaction, it should not, however, be viewed in separation from the significant dynamic elements in human character which were generated in society. For in contrast to the belief of, for instance, Lord Kames, that the growth of social and moral sentiments was opposed to the pursuit of interest and purposeful activity, Paine believed that the pursuit of objects of general interest, and co-operative activity could lead to the development of mutual understanding and to a recognition of equal needs and desires. This, better than abstract reasoning, encouraged socialisation through the dissolution of ignorance and prejudice, and through undermining the suspicion and distrust which Paine saw as the "bane of society" (L.A.C, VI, II, p.936): "one intimacy led to another, till the suspicion wore away, and a change of sentiment gradually stole upon the mind" (L.R.II, p.240, c.f.A.F.C, II, p.529, & L.A, II, p.1437). The greater the ease and width of social contact, the more thorough the socialisation :

It is best mankind should mix. There is ever something to learn, either of manners or principle; and it is by free communication without regard to domestic matters, that friendship is to be extended and prejudice destroyed all over the world (L.R.II, p.245, c.f.ibid p.262 & S.A.L, II, II, p.279).

Consequently Paine continually advocated the formation of associations for the common pursuit of intellectual, religious, or material interests and objects. The bill for incorporating the American Philosophical Society, entered by Paine, as clerk of the Pennsylvania assembly on February 14th, 1780, stated :

improvements of a public nature are best carried out by societies of liberal and ingenious men, uniting their labours without regard to nation, sect or party, in one grand pursuit, alike interesting to all, whereby mutual prejudices are worn off, a humane and philosophical spirit is cherished.... (II, p.39, c.f.25, p.517-9).

Paine's belief here was twofold. First, the idea expressed by Toqueville: "feelings and opinions are recruited, the heart is enlarged, and the human mind is developed by no other means than by the reciprocal influence of men

upon each other" (69, p.379). Secondly, the pursuit of certain objects was not only a vehicle for social contact but also extended and tempered the mind and prepared man for sociability (2). Regardless of any religious considerations, the influence of science, for instance, upon the mind was "like the sun on chilled earth....preparing it for higher cultivation and further improvement" (L.R, II, p.241). The world was thereby "put into a fitness not only to admit of, but to desire, an extension of civilisation" (*ibid*, p.242), since civilisation "has given a new cast to the mind of man, more than what he appears to be sensible of" (*ibid*, p.240). "Man finds himself changed, he scarcely perceives how" (R.M.II, I, p.398). Thus Sheldon Wolin was correct to say that Paine not only "rated social life the highest form of human achievement", but that he also saw it as "a vital condition for the development of morality and rationality" (247, p.369), a corollary of which was Paine's belief that people such as monarchs who were secluded from society, were deprived of a factor essential for their social and moral development.

It is within the above context that Paine's discussion, in Letter to Raynal, of primitive societies can be appreciated (II, pp.240-2). These societies were natural not in their conformity to cosmic laws, but in their contrast with art; they consisted of hunters whose lives were spent in a combination of idleness, and conflict over the necessities of life which could be obtained by individual effort. Although these societies were in a condition of relative social equality, and without poverty (A.J, I, p.610), they were devoid of the ennobling and co-operative pursuits which fostered the development of a sociable character. Paine followed Franklin in being impressed by what might be called an ethic of purposeful activity, the beneficial social effects of which had been discussed in Raynal's The Revolution in America, 1781 (61, pp.13-4 & p.24), and the idea of which formed a major part of Adam Ferguson's An Essay on the History of Civil Society, 1776. Thus, in contrast to the view of Clark (114, p.398), Paine was not an exemplar of what Lovejoy

called cultural primitivism, the "discontent of the civilised with civilisation....the belief of man living in a relatively highly evolved and complex cultural condition that a life far simpler and less sophisticated in some, or in all respects, is a more desirable life" (236, p.7). Paine's account of human nature was not one of static simplicity, and his aspiration for man in society was for sociable dispositions to be made the predominant spring of action:

The opposition of interests, real or supposed, the variety of judgments, the contrariety of temper, and in short, the whole composition of man, in his individual capacity, is tinged with a disposition to contend; but in his social capacity there is either a right, which, being proved, terminates the dispute, or a reasonableness (justness) in the measure where no direct right can be made out, which decides or comprises the matter (P.G, II, p.306).

No person was in a position to do justice to another if his attention was dominated by some partial interest (C.S, I, p.9).

Fennessey's comment on Burke, in relation to Paine, can be seen as also applicable to Paine: "The nature that Burke means is the full, complete nature of man, taking into account all his faculties, all his feelings and instincts, his social as well as his individual existence, his full development as well as his initial potentialities" (98, p.134). Although Paine was not completely consistent in what he, at different times, portrayed as the main basis of society, the complete account of his view of human nature given above clarifies some of the confusion that arises from Clark's ascription to Paine of a belief both in natural altruism and in society as the product of an identification of selfish interests: "he came to accept the doctrine that men are naturally altruistic, or that self-interest would harmonise with the social good of all. This doctrine became the fountain-head of his political thought" (95, p.xxxiv). While suggesting that natural altruism might be identifiable with enlightened self-interest (*ibid*, pp. xxxv-xxxvi, c.f. 113, p.76), Clark believed that an idea of natural altruism and a belief in a "Popean harmony of self love and social" were derived by Paine from his Newtonian Deism (95, p.xxii & p.lxvi).

Newtonianism, by positing a cosmic harmony, furnished, in place of Puritan convictions of man's total depravity, what seemed a mathematical foundation for a faith in the light of nature and in the pregnant theory of natural goodness (ibid, p.xxii, c.f. 113, p.74).

However, in contrast to Clark's view that, towards 1782 Paine moved from an idea of self-interest to one of natural altruism (96, p.xxix), Schneider believed that

natural altruism is not a very accurate title for Paine's theory of human nature (especially in view of his economic theory of self-interest), and that, 'natural reasonableness' would have been more accurate and would indicate the anti-Calvinist motivation quite as well (139, p.247).

Elie Halévy stated that, at least before 1792,

Paine's individualism is a spiritualistic individualism, founded on a theology: all men are born equal when they come from the Creator's hand, and.... In Paris, in 1792, as in New York, in 1776, Paine consistently remains a Quaker even when he renounces Christian orthodoxy. The individualism of Bentham or of Adam Smith rested on quite a different principle (237, pp.188-9).

However, although Halévy asserted that, in Rights of Man II, the "principle of general utility succeeded to the spiritualistic principle of natural rights" (ibid, p.186), Paine has been shown above not to have expanded in Rights of Man the interest basis of society which he discussed in Common Sense, but, in fact, to have placed more emphasis on man's natural social instincts.

Paine never stated that the unsociable aspects of human nature could be eradicated; there was a "defect of moral virtue" (C.S,I, p, 5) which became apparent as soon as there was mitigation of the harsh material circumstances that impelled co-operation. The "impulses of conscience" were not "clear, uniform and irresistibly obeyed" (ibid), and as would be expected of conduct that was morally obligatory and not constitutionally determined, there would always be some moral disagreements (3). The moral defect took the form of a tendency for individuals to be biased towards their own interest whenever judging in cases of conflict of immediate interests, so that they behaved selfishly and contrary to justice. This situation was formulated alternatively

by Paine as an inability of the affected people to secure their natural rights; that is, as a defect of executive power (C.C.R, II, pp.274-6, L.J, 3, vol.xiii, pp.4-5, R.M.I, I, p.276). The pursuit of interests was a morally legitimate activity, productive of private and social good, but only in so far as it was restrained by observance of natural justice which included, in particular, a respect for natural rights. Thus Paine, like Kamea, believed that social intercourse was desired for its own sake, as well as out of economic necessity and for self-preservation, and also, that, in contrast, self-interest responsible for co-operation might also become selfish interest; "The appetite for property, in its nature a great blessing, degenerates....into a great curse when it transgresses the bounds of moderation" (47, vol.1, p.78). Consequently, because of the "inability of moral virtue to govern the world" (C.S.I, p.6), civil authority was required, not to arrange an artificial identity of interests through the manipulation of citizens' utility preferences, but, rather, to restrain individual pursuit of interest within the bounds of justice, which secured the exercise of rights by each person without harm to the rights of others.

According to Fennessey,

In 'Common Sense', Paine had attributed the necessity of government to a lack of moral virtue, he had thereby implied that its purpose is merely to preserve order among men, and prevent the stronger from imposing on or exploiting the weaker. However, since his return to Europe, Paine had been thinking over the subject of rights, and discussing it with Jefferson and Lafayette, and this had led him to form a more positive view of the function of government. He bases his reasoning on a distinction between natural and civil rights which he first explained in a letter to Jefferson written early in 1788 (98, pp.168-9).

But although Paine did not discuss natural rights in Common Sense, there was no development in his treatment of this subject in Rights of Man from the complete account that he gave in 1777 in 'Candid and Critical Remarks' before his first contact with Jefferson. There is no reason for inferring that, between 1776 and 1791, Paine's conception moved from one of negative to one of positive

government, since, as Fennessey himself concluded:

However, Paine notes that there are some things an individual may want to do, in which, though the right is perfect in the individual, the power to execute them is defective... (Paine saw a) limitation of individual power, arising from the presence or activity of other men.... This then is the occasion for the formation of civil society, and the submission of men to a common rule. It is not very different from the 'defect of moral virtue' mentioned in Common Sense (My emphasis) (98, p.170).

Government was required because of the tendency of man to act according to his individual, rather than his social, character, but, since the state of nature was not a Hobbesian condition of war of all against all, "Government is no farther necessary than to supply the few cases to which society and civilisation are not conveniently competent" (R.M.II, I, pp.357-8, c.f.ibid, p.358), and "Government should always be considered as a matter of convenience, not of right" (F.L.III, II, p.78). Just, then, as Paine was not a cultural primitivist, so he did not, in Lovejoy's terms, adhere to chronological primitivism, the belief that "the earliest condition of man and of human society was the best condition" (246, p.xi). We must agree with Gibbens that "Never, it seems apparent, did Paine advocate dispensing with government;" (173, pp.194-5), he was "forward-looking, striving to correct the evils of civilized society, never advising the return to a simpler state" (ibid, pp.196-7). Furthermore, the amount of government required would vary according to the circumstances of the particular society concerned, in order to ensure a balance of justice and liberty as a framework which both allowed and encouraged social contact, and the resultant material, moral and social benefits which constituted the fulfilment of man's potential. Paine thus disagreed with Ferguson's belief that security of person and property and the reign of justice in society heralded the dissolution of social and public spirit, and their replacement by the immersion of all individuals in the self-centred pursuit of personal pleasure and gain (42, pp.221-2) For,

to Paine, the purpose of government specifically lay in "consolidating society" (R.M.II, I, p.359); in preserving its benefits and preventing its evils.

It was on the basis of the account of natural society and the need for government so far given, that Paine considered the legitimate establishment and the purposes of government.

2. Natural Rights and Social Compact

It was shown in chapter one above, that Paine believed that there were certain natural rights which "appertain to man in right of his existence" (R.M.I, I, p.275), and those rights were essential for self-respect and for the opportunity to exercise moral and rational capacities to their fullest extent. The terminology of natural rights was familiar to American revolutionary writers who followed British writers such as Locke. But, not until after 1775 did the idea of abstract rights of man, based on nature, achieve widespread recognition among the colonists. Not until the needs of independence demanded such a theory of natural rights did they move from a concern with the rights of Englishmen which were embodied in English common and statute law, and which were claimed by British birthright, and were allegedly guaranteed by Crown charters. The declaration issued in October 1774, by the First Continental Congress, for instance, claimed rights by "the immutable laws of Nature, the principles of the English constitution, and the several charters or compacts" (20, p.119), and the rights claimed were those of "life, liberty and property" and "the rights, liberties and immunities of free and natural-born subjects within the realm of England" (ibid, p.120). Jefferson, despite the natural rights philosophy of the Declaration of Independence of which he was the author, claimed for Americans, in A Summary View of the Rights of British America, 1774, the Anglo-Saxon birthright which

had been eroded in Britain by feudal encroachment (4).

Paine distinguished two broad categories of natural rights; first, "intellectual rights, or rights of the mind" (R.M.I, I, p.275), such as freedom of thought and religious conviction, and, secondly, the right to pursue one's own just interest, or "all those rights of acting as an individual for his own comfort and happiness, and which are not injurious to the natural rights of others" (*ibid*, pp.275-6). Man acquired a knowledge of his rights "by attending justly to his interest" (R.M.II, I, p.398). Paine's account of rights can therefore be very sharply distinguished from the belief of Hobbes that in a state of nature each person had a right of "doing anything" (49, p.189), and that there was a natural right "to everything; even to one another's body" (*ibid*, p.190), "For where no Covenant hath preceded, there hath no Right been transferred, and every man has a right to everything; and consequently no action can be Unjust" (*ibid*, p.202). For Paine, the equality of rights was a built-in limitation to the extent of the rights of any one individual; rights were not, as Fennessey thought, identified with powers, which were restricted in theory only by the formal right of all people to do the same or similar acts, or in practice only by circumstances (98, pp.169-70). The rights themselves were based on, and limited by, the moral natural laws:

A right, to be truly so, must be right within itself, yet many things have obtained the name of rights which are originally founded in wrong. Of this kind are all rights by mere conquest, power or violence.... In the cool moments of reflection we are obliged to allow, that the mode by which such a right is obtained, is not the best suited to that spirit of universal justice which ought to preside equally over all mankind (P.G.II, p.306).

Although reason might examine a claim to a right, it was the intuitive sense of justice, and not, as in Persinger's account, reason itself, that provided the validating criteria of a "right founded in right" (137, pp.56-7).

Paine's first discussion of an equal natural right to freedom, in 'African Slavery in America', in 1774, was in association with the Christian belief in equality as justice; his appeal was, for Clark, "almost exclusively moral and ethical" (95, p.lxxxvi). For this reason Paine was exceptional among eighteenth-century and colonial writers in his universal application of natural rights.

Wherever I use the words 'freedoms' or 'rights', I desire to be understood to mean a perfect equality of them....
the floor of Freedom is as level as water.....
I consider freedom to be inseparable from the man as a man
(S.A.L. I, II, p.287).

Specific rights of liberty, apart from freedom from slavery and oppression, included the rights of self-preservation and of provision for the basic material needs of oneself and one's family. The natural right to freedom, and formal recognition by people of that right, was completed by the right of security, not just of property, but of the exercise of all rights of freedom. The right to freedom was superior to the right of security of property which was, Paine said in 1795, a right "not of the most essential kind" (D.F.P. II, p.581).

Some of the natural rights were imperfect of execution in a state of nature because, as has been shown in section one above, people could not be relied upon to judge impartially where their own interests were involved. The purpose of civil society was to consolidate, in particular, the right of security, through an exchange of the relevant natural rights of liberty for civil rights in a social compact. Civil rights, which compensated for the loss of executive power of natural rights, were derived from the natural rights which, far from being irrevocably lost, remained whole, and could be resumed if civil society failed to fulfil its contractual obligations correctly (R.M.I. I, p.276). One instance of the exchange given by Paine was the substitution of the natural right to execute judgment of one's own cause in a case of grievance, by appeal

to be judicial organs of civil society (R.M.I, I, p.276). The civil power created at the exchange of rights should not be used to invade the natural rights "of personal competency", the exercise of which was retained by individuals and which included, in particular, the rights of freedom of thought and expression (L.J.3, vol.xiii, pp.4-5, R.M.I, I, p.276). The extent of the exchange depended on the circumstances of the particular society concerned, and for this reason Paine suggested that natural rights should be enshrined in a permanent declaration, while civil rights were to be enumerated in a separate constitutional document which was alterable as society, and as the understanding of the principle of rights, developed (C.C.R, II, p.274). Paine regarded civil society in a similar light to any association, such as an association for the pursuit of knowledge, to which each member made some contribution, and in which all members gained by the strength of the whole (L.J, 3, vol.xiii, pp.4-5, c.f. R.M.I, I, p.234). But the notion of civil society originating in the insecurity of natural rights, through a contract between individuals, had been expounded before Paine, by, for instance, Locke in chapter eight of his Second Treatise of Civil Government, 1690, and the idea of a compact as an exchange of natural, for civil, rights can be found in, for instance, the Commentaries on the Laws of England, 1765-9, of the English jurist, William Blackstone (1723-80), (24, pp.39-40 & pp.120-1). However, Blackstone identified natural rights with the Englishman's birthright that was guaranteed by Magna Charta, the Petition of Rights, Habeas Corpus Act, and civil law (24, pp.122-3), and he attributed a so vereign and uncontrolled authority to Parliament; "It can, in short, do everything that is not rationally impossible" (ibid, p.156, c.f. 157). Consequently, Gilbert Chinard's account of Jefferson, whose ideas he traced back to Ames, has been seen by Clark (95, pp.xliv-xlv) as equally applicable to Paine:

The social compact is not a metaphysical hypothesis, nebulous and lost in the right of ages, it is a very specific and very precise convention to be entered into or to be denounced by men or groups, who remain free and yet agree to submit themselves to certain ideas in order to obtain more security. And thus was evolved and formulated a combination of liberty and order, individualism and discipline which lies at the basis of American civilisation (147, p.85).

This definition of liberty was "entirely different from the French conception as found in Rousseau" (95, p.xliv). Moreover, Paine's idea of freedom as the possession of natural rights precluded him from considering Locke's belief that civil society and law increased freedom by securing people against arbitrary restraint and violence from others (50, p.324). Paine agreed with Jefferson in 1788 that the gain in civil society was one of security in the exercise of the rights of liberty; "the more of those....rights of imperfect power we.... exchange, the more security we possess,....the word liberty is often mistakenly put for security" (L.J, 3, vol.xiii, p.5).

One of the most important corollaries for Paine of an equal natural right to freedom was an equal right to vote and to stand for public office in the political system. This followed from the fact that each individual member of civil society had renounced the executive power of some of his natural rights and had put himself under the laws of civil society (D.F.P, II, pp.583-4). To make property the criterion of the franchise was "a total departure from every moral principle of liberty, because it is attaching rights to mere matter and making man the agent of that matter" (*ibid*, p.583). It was "dangerous and impolitic, sometimes ridiculous, and always unjust to make property the criterion of the right of voting" (5). The condemnation of property suffrage as inequitable (C.R, II, p.1001), which Paine derived consistently from his religious and moral premises, made him unusual among American reformers in the eighteenth-century. Where, for instance, the Pennsylvanian

Declaration of Rights of 1776 attributed the vote to "all free men having a sufficient, evident common interest with, and attachment to, the community" (D.F.P, II, p.373), it concerned only men who had a property stake-in-society, although, in practice, many Americans did own some land. Paine suggested that all members of civil society paid taxation, and so should have equal political rights (L.A.A, II, p.494 & p.505), not because of a belief that taxpaying was a qualification for the franchise, but because he saw it as an indication of membership of a society, all individuals being included because indirect taxes were taken into account. But, although he proposed an equal right to vote, by virtue of an assumed equal moral potential, he saw the right as inalienable only in the sense that it could not be denied for non-moral reasons. Just as freedom could be forfeited by the criminal (S.A.L, I, II, p.287), so the exercise of the right to vote could be forfeited by the person who abused that right (D.F.P, II, p.580 & p.587), and should be in abeyance for the public official, who profited by the state, and for private servants, who, "voluntarily withdrawing from taxation and public service of all kinds....stand detached by choice from the common floor...." (S.A.L.I, II, p.287), so casting off their "original independent character of a man" (*idem*, c.f.II,p.1113). Although worldly experience was the best qualification for the franchise, the right to vote was potential in all minors and, although only exercised after the, conventional, age of twenty-two, it could not be denied or removed (D.F.P, II, p.574). For any person to be deprived of the right to vote, for non-moral reasons, was to make that person subject to the will of another, and Paine was in agreement with Rousseau's assertion that "To renounce liberty is to renounce being a man" (64, p.8).

3. The Role of Government

Paine lacked a philosophical concern for the rigorous use of concepts,

and in his writings he characterised the end of government as, variously freedom, security of rights, and, in imitation of Dragonetti's A Treatise on Virtues and Rewards, 1769, happiness (C.S, I, p.6 & p.29, L.A.A, II, p.490). This inconsistency was not the product of confused thought, nor did it indicate changes in Paine's views; it followed from his refusal to conceive that there could be one, and only one, single overriding object of government such as maximum utility, and from his preference for the belief that government should set a framework within which social processes could operate in freedom and with order. Paine, unlike the utilitarian Bentham, did not hold the greatest happiness of the greatest number to be the sole object of government, for, like Commonwealthmen such as John Milton and Algernon Sydney, he saw happiness not as a calculable objective, let alone a moral one, but as something which inhered in the secure and legitimate exercise of rights (6). The role of government was chiefly that of ensuring the rule of justice between individuals exercising their rights in society, and the happiness of individuals was achieved through the successful pursuit of interest in the exercise of rights to an extent that was not contrary to the rights of others. Thus justice, in itself, was the overriding end of government, but general happiness was also, in the long-run, a result of good government.

Government is nothing more than a national association; and the object of this association is the good of all, as well individually as collectively. Every man wishes to pursue his occupation, and enjoy the fruits of his labours, and the produce of his property, in peace and safety, and with the least possible expense. When these things are accomplished, all the objects for which government ought to be established are answered (R.A.II, I, p.388).

The best government was that which "secures to every man his rights, and promotes the greatest quantity of happiness with the 'least expense' " (A.D, II, p.536, c.f, F.L.III, II, p.82 & 137, p.65).

Although Paine did not initially hold and then reject a belief in the natural identification of interests, he has sometimes been interpreted

as having developed his views about the scope of government from a prescription of minimal functions in 1776, to a more positive conception in the 1790s (98, pp.168-9). This interpretation can be seen in connection with his misleading assertion in Common Sense that "society in every state is a blessing, but government, even in its best state, is but a necessary evil" (I, p.4), which requires close examination because of the disagreement which surrounds it. Whereas Rossiter believed that Paine was distinctive among colonial writers in his view of government as an evil rather than as a source of good (166, pp.411-2), a contrasting view is that "The American attitude toward government as a necessary evil (and probably more evil than necessary) goes back to the Revolution" (184, p.180). Moreover, for Charles Merriam:

The 'Federalist' accepts the fundamentals of contemporary political theory without much protest. The original state of nature, the social contract the necessary-evil theory of government - the staple of eighteenth century political science - none of these doctrines was openly called in question. In fact it could hardly have controverted these ideas, even if so disposed, so deeply were such notions impressed upon the public mind (158, p.103).

Government could have been seen as evil by Paine because it was an abrogation of liberty, although it could not be seen as evil in so far as it was necessary for justice and the security of rights. Government, in the abstract, could only be seen as completely evil in that it was a matter of expediency, not of right and principle, which was consequent upon the moral failings of man. Paine might, then, have seen government as bad in principle because of what it represented - "like dress", it was "the badge of lost innocence; the palaces of kings are built upon the ruins of the bowers of paradise" (C.S, I, pp.4-5). Consequently, Gibbons believed, in spite of Paine's specific denial of the idea of a fall of man (R.L, II, p.765) that in "the light of Paine's fundamental assumptions of government displayed on nearly every page of his writings, he should never have referred to government as a 'necessary evil' but

simply as 'necessary'. The evil making government necessary is in man" (23, p.195).

Furthermore, Paine's general statements about governments governing too much (S.A.L, III, II, p.293, A.F.Q, II, p.529, P.R.II, p.646) derived not from an abstract idea of minimal government functions, but instead referred to an actual tendency to govern too much, and in this light government could again be seen as evil (c.f, 3, vol.xiii, pp.208-9). From a general belief about human nature, and from historical examples, Paine, like Jefferson, saw people in power as susceptible to corruption by that power (173, p.698). There was thus an inherent tendency towards degeneration in governments unrestrained by constitutional limitations, which took the form, in particular, of an increasing erosion of the rights of the citizens. "Society originates in the wants of men, government in their vices. Society tends always to good - government ought always to tend to the repression of evil" (L.R, II, p.251), but "we repose an unwise confidence in any government, or in any men, when we invest them officially with too much, or an unnecessary quantity of, discretionary power" (R.M.I, I, p.293). Government thus had a potential for evil, partly in the form of a qualitative decline in public ethics from the classical spirit of virtuous service to involvement with patronage, places and pension-seeking. Paine, especially in his earlier writings, gave evidence of having read, for instance, Burgh's Political Disquisitions, and Milton, and he also displayed the colonial background, in remarks about the corruption of the British government and in his concern that "the 'elected' might never form to themselves an interest separate from the 'electors'" (7). Government was also evil because it was "inherently prone to magnify its authority and thereby impair the liberties of the individual" (173, p.698), an expansion of government taking the form not only of patronage, but also of a centralised bureaucracy and coercive machinery, with attendant expense to the taxpayer.

Paine praised the Pennsylvania Whigs who, "though in power, are the people who most oppose the growth of it even in their own hands... For it is not government generally, but 'civil' government which they mean to support" (S.A.L, IV, II, p.297). Behind Paine's attitude to government here, lay the belief that society could largely regulate itself, as in fact it did to some extent in Britain through local institutions and voluntary service, without a need for public order to be derived from extensive coercion by central government or from popular prejudice and superstition :

the whole of the civil government is executed by the people of every town and county, by means of parish officers, magistrates, quarterly sessions, juries and assize, without any trouble to what is called government (my emphasis) (R.M.II, I, p.348),

notwithstanding the taxes of England....it is still evident that the sense of the nation is left to govern itself, and does govern itself by magistrates and juries, almost at its own charge (R.M.I, I, p.327, c.f, ibid, p.399).

Paine believed that cases in civil law could be settled largely by arbitration and willing redress, without resort to the courts. People brought before the criminal courts were often merely religious dissenters or political reformers who were justified in their opposition to the government, and were not enemies of society, or they were the socially oppressed who were forced into crime by social injustice. Government itself might have promoted some of the social disorder, in accordance with a policy of divide and rule (R.M.II, I, p.359).

Since Paine assumed that there was both a general moral sense, and a general defect of moral virtue, he postulated not only that society largely regulated itself, but also that everyone could appreciate the need for the establishment of civil authority, although if largely out of a wariness of others, also from a recognition of a need for restraint of oneself. Indeed, excessive government was a result of unwarranted distrust of one another, for the amount of government required "lies

between these two extremes; the lesser amount each considers required for himself and the larger amount he regards as needful for his neighbour" (A.P.Q, II, p.529). The need for government could be minimal, not only because society was natural, but also because, although there would be a tendency towards some injustice in a state of nature, there could also be a general acceptance of the institution of government. One consequence of this was that real government strength was based not on coercion but on the popular support which should follow the general belief that a government was properly fulfilling its duties (II, p.962). The strength of government rested on popular support, which demanded the preservation of equal liberty (P.R, II, p.634). Thus, somewhat different from a belief in natural altruism was Paine's view: "Man....is more a creature of consistency than he is aware....or that governments would wish him to believe" (R.M.II, I, p.359). This meant, first, that much order was natural, and, secondly, that although government was necessary, society would (and only would) uphold a political system that was believed to be just and in the interests of society.

In the Deistic interpretation of Paine's thought, both the belief, as a principle of cosmic harmony, that society was the result of a natural identity of interest, and the view that man, as the crown of creation, was naturally altruistic, meant that responsibility for contemporary social evils was allocated solely to the corrupt institutions of the old regimes (c.f, 135, pp.167-8). A harmony of man with nature could accordingly be re-established only by an overthrow of the existing regimes and their replacement by institutions that were based on principles of Newtonian science. Only upon this view could Paine's natural rights idea be incorporated into the Deistic interpretation, for although Clark admitted that the idea was "not uninfluenced by his Quaker heritage...., it is given revolutionary direction in Paine by....

the Rousseauistic doctrine that evil is not of inward but of outward origin, to be overcome by modifying institutions" (114, p.399). Whereas the Quakers appreciated the evil that was in man, and stressed introspection and the reform of the individual, by a resurrection of his inner light, Paine, as a Deist, recognised the source of evil only in the corrupting institutions that were external to the individual (113, pp.59-60; 102, p.94; 97, p.48-53 & pp.63-9; 120, pp.52-63). Paine can be seen for this reason earlier to have supported *laissez-faire* and revolution, while becoming enthusiastic for representative government later on, in Rights of Man:

His attitude was typically this: Abolish monarchy, and all will be well; kings and lords are bad, but the people are good....If Paine had probed more persistently into the dark side of human nature...he might not have tended so consistently to think of representative government as an automatic millenium in politics (127, pp.1089-90, c.f.132, p.229).

An account similar to the Deist explanation of Paine's attitude towards political reform followed from Nursey-Bray's analysis of his views concerning evil, in terms of alienation. (134). According to this analysis, whereas in Common Sense Paine asserted that government was the product of self-alienation (anti-social behaviour generated in the individual), he is held to have changed by the 1790s to an idea of social alienation (men corrupted by external institutions). Initially

the problem of alienation would seem to be involved with a question of self-change. But Paine would seem to assume that an act of subjective, individual, moral self-change can be accomplished by changes in objective environmental conditions. To make this possible it was necessary for Paine to remove the causal root of alienation from the individual personality and seat it in the existing social structure (134, p.235).

His attitude towards government changed because "By objectifying the problem Paine lays the basis for its resolution" (ibid, p.228, c.f.103, p.127). "Government originally was seen as a projection of man's alienation; one may have to tolerate it as a necessary institution," but afterwards Paine praised it because of its humanising capacity to

deliver men from alienation (134, p.277, c.f. ibid, p.228 & 103, p.127).

In other words, Nursey-Bray believed that Paine's scientific principles of government, - natural rights and especially the natural right of representation - had an almost ethical character capable of re-generating man, or reuniting him with his natural social instincts, precisely because he also believed that for Paine, natural law in its moral sense was embodied entirely in his idea of natural rights. Thus Nursey-Bray reconciled Paine's early antipathy towards government as such with his later praise of representative government by identifying his principles of representation with his principles of natural society, and he criticised Paine for believing then that all social evil could be eradicated by a change of existing political institutions, although he did not attempt to explain or reconcile Paine's supposed early belief in self-alienation with his early antipathy to government in general (103, p.141 & p.144).

Although Paine said that government, by its example, could corrupt the people who were governed by it (R.M.I, I, p.266, C.P.V, I, p.117), it could be argued that the simple dichotomies of self, and social, alienation, of inner and outer reform, provide inadequate tools for analysing Paine's more subtle view of human nature. The analysis is restricted, and the conclusions perhaps predetermined, by seeing Paine's views about reform in terms of a simple choice between Quaker and Deist systems of ideas. Accounts of Paine's thought in terms of environmental determinism have neglected what might be called the psychological environment of individuals. On this view, the climate of received opinions about human nature, and the institutions reflecting such opinions, constitute a setting which, as does the setting of nature (discussed in chapter one above), influences the attitudes of individuals towards themselves, these, in turn, influencing their will to exercise their better characteristics. One source of this

belief of Paine's can be seen in his perception of the role of propaganda in the American war of independence in maintaining the confidence and optimism which encouraged the activity by which the object of independence was gained. He believed that although the military reverses of 1776 were due to tactical failures,

the country might have viewed them as proceeding from a natural inability to support its cause against the enemy, and have sunk under the despondency of that misconceived idea. This was the impression against which it was necessary the country should be strongly animated (L.A, II, p.1434).

Consequently he wrote the early Crisis Papers with the intention of relieving the gloom, and arousing patriotism; "America ever is what she thinks herself to be. Governed by sentiment, acting her own mind, she becomes as she pleases the victor or the victim" (C.P, IX, I, p.167).

A confident self-appreciation was necessary if people were to achieve their better natures, and a just appreciation of human nature was essential to mutual respect, for people, "Feeling the proper dignity of their character, they support it" (R.M.I, I, p.295). But, "once the mind loses the sense of its own dignity, it loses, likewise, the ability of judging of it in another" (L.R, II, p.253), whereas the Americans "have learned the manly doctrine of reverencing themselves, and consequently of respecting each other" (II, p.452). If a person under-estimated himself, then there was "often passing in the mind a train of ideas he has not yet accustomed himself to encourage and communicate. Restrained by something that puts on the character of prudence, he acts the hypocrite upon himself as well as upon others" (R.M.II, I, p.421). The idea that an individual's appreciation of the extent of his reason might lead to a disposition to exercise that reason, was really only an extension of the idea of a sense of honour motivating moral conduct, and it could have been seen by Paine in his reading of others -

One of the best springs of generous and worthy actions.... is the having generous and worthy thoughts of ourselves. Whoever has a mean opinion of the dignity of his nature, will act in no higher rank than he has allotted himself in his own estimation....there is not a more improving exercise to the human mind, than to be frequently re-viewing its own great privileges and endowments; nor a more effectual means to awaken in us an ambition raised, above low objects and little pursuits, than to value ourselves as heirs of eternity (25, p.321, c.f.34, pp.169-70).

Paine saw self-under-estimation as responsible for what Burgh wrote of as "the inertia and timidity of the people" which were "the great difficulties in the way of every reformation" (30, vol.iii, p.378). To examine Paine's thoughts in terms of where he located evil has, by a failure to recognise his psychological ideas, created the impression that he advised the complete reform of institutions alone. However, while the state of self-appreciation and self-confidence might significantly influence human behaviour, government in general indicated a moral defect in man, and the nature of any particular political system was important in being accepted as representative of human nature and of received opinion about human nature. If the predisposition and will of the individual to exercise his moral and rational capacities were influenced by his self-appreciation, this was, in turn, influenced by the prevailing general impression of human character. This impression was composed not simply of fragmented reflections, but of a complete ideology, and had a psychological significance in the extent to which its embodiment in the political institutions was popularly regarded as a symbol or reflection of human nature. Jefferson classified general images of human nature into Whig and Tory (43, vol.viii, pp.148-51; 49, pp.314-5). The Whig view trusted in the basic common sense and reasonableness of the people, and held a strong suspicion and jealousy of political authorities. The Tory philosophy, held by people who did not themselves aspire to self-improvement, prescribed a strong coercive government, not only because society was not regarded as natural, but also because political obedience was seen to be dependent on popular

ignorance and fear, prejudice and superstition. What was seen by its advocates to be at the root of a Tory philosophy, according to Bernard Schilling, was "a realistic acceptance of the narrow and defective nature of man" (204, p.51, c.f. ibid, p.51 & p.47), and it was this that was responsible for Burke's belief that all men had a right to a "sufficient restraint upon their passions" (27, p.57); "the restraints on men as well as their liberties are to be reckoned among their rights" (27, p.58). Differing empirical impressions of human nature made for irreconcilable political philosophies when they were backed by different religious pre-suppositions. Where Paine's account of human nature can be traced to his belief in a benevolent God, the "realists low view of human nature and of the human predicament on earth is seconded by the theologians conviction of man's depravity and his consequent exile in a lifelong vale of tears" (204, p.84, c.f. ibid, p.51). Although it is possible to distinguish between Burke, who belittled human reason and stressed the passions of man, and the Federalists discussed in chapter three below, who saw man as fundamentally selfish and lacking in social spirit, Paine believed that a government constructed out of the philosophy of either of these "purloins from the general character of man, the merits that appertain to him as a social being" (R.M.II, I, p.360).

Government, then, not only had a direct influence upon society, but institutions were also, indirectly, influential as an element in the psychological environment. The idea that Paine believed in natural altruism, in contrast to the belief of a fall of man which he clearly did not hold, has led to some Paine students suggesting that he located a root of evil in institutions which directly corrupted society. However, beyond this, bad governments also embodied a Tory philosophy as their moving principle, and 'raison d'être', and, as such, they constituted a standing rejection of the belief that the principles of society were natural. Consequently they encouraged popular diffidence and discouraged self-confidence, self-esteem, and the will to exercise the better aspects

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of human nature among all members of society. So long as the people allowed their better nature to lie dormant and unrecognised, that is so long as they lived down to the estimation of their character that was found in institutions which embodied the Tory philosophy, then the protagonists of strong government could point to popular conduct to support a continuing need for such institutions. However, as will be discussed in chapter three below, the respectful account of human nature that was, on the other hand, conveyed by the principle of representative government, indirectly fostered the exercise of the sociable and rational potential of people that made justifiable, and viable, the existence of a representative system of government.

To sum up, the state of nature for Paine was a natural society based on interest and affections, which provided criteria for the construction of the unavoidable political system. Government was established after an exchange of some natural rights for civil rights at a social compact, and it should secure the rights of each individual citizen, so enabling the just pursuit of interest, and the preservation of the benefits of socialisation. Paine's indeterminate account of the scope of government was the product of his concentration on the philosophy of government, and of his concern about its influences upon society, to the exclusion of a detailed discussion of the specific functions of government.

An appreciation of Paine's grounds for government leads on to a consideration in the next chapter, of his ideas about how government should be constituted if its benefits are to be realised and its potential evils avoided.

NOTES AND REFERENCES TO CHAPTER TWO

1. See below, p. 176
2. See below, p. 247, and above, pp. 39-40.

Paine was one of the 'Jeffersonians' whose approach, according to Daniel Boorstin,

to the whole external universe, including society, was pervaded by a kind of integrity and intellectual morality. The desire to know nature was the strongest incentive to ingenuousness, and the most effective restraint against the deception of oneself or one's neighbours....Forthrightness, respect for fact, and a non-competitive and collaborative attitude toward his neighbours were revealed not only in science; the Jeffersonian somehow carried these attitudes into his theory of society (144, p. 244).

Moreover, "In the communal quest for mastery of the physical environment, collaboration and the free community of ideas were indispensable" (ibid., p. 243).

3. C.R.V, I, p. 1092

The development in relations between civil societies can be seen as analogous to that between individuals in a state of nature. Paine believed that the American nation in 1776 was in its youth, developing unity between the states out of the co-operation that was needed for mutual defence. The union needed to be secured by the bond of a common civil government because, otherwise, the states might individually develop vested interests and self-reliance.

4. Colonial writers who referred to natural law and natural right included James Wilson, in Considerations on the Nature and Extent of the Legislative Authority of the British Parliament, 1774.

It seemed to Benjamin Wright that:

well before the outbreak of hostilities in the spring of 1775 the concept of a superior law of God and nature, whence are derived the basic rights of man, was accepted and used by nearly all of the most influential pamphleteers and orators. But it is also true that their theories of natural rights, although frequently stated separately, and always to be independent of positive laws, are invariably combined with a theory of the British constitution (171, p. 84).

Strangely enough, it remained for an Englishman but newly arrived in the land to be the first to state the theory of natural rights of the colonists without reference to or reliance upon the laws or customs of England. Thomas Paine.. (ibid, p.92).

5. D.F.P, II, p.579.

See references to Dissertation on First Principles of Government, below, pp.193-4 and chapter one, section four, above.

Thus Dorfman's interpretation of Paine is ill-founded -

Paine demanded removal of property qualifications for voting on the grounds of property rights. The disfranchised are slaves because without the vote, they are not guaranteed the essential property right....Above all, a property qualification renders property insecure, since men, deprived of rights through it, will rise against the cause of their oppression. However, Paine was really interested in obtaining the franchise for the business classes (118, p.379).

6. The Commonwealthmen, discussed by Caroline Robbins (203), shared a belief in natural rights and a dissatisfaction with the power of the cabinet and the limitations of Parliamentary accountability in Britain. Included among them were: John Milton (1608-74), such as in his Tenure of Kings and Magistrates, 1649, and First Defence of the People of England, 1651; James Harrington (1612-67), in The Commonwealth of Oceana, 1654; Algernon Sidney (1622-83), Discourses Concerning Government, 1704; Thomas Gordon (d.1750), and John Trenchard (1662-1723), Cato's Letters, 1720-3; Adam Smith (1723-90), The Wealth of Nations, 1776; Richard Price (1723-91), Observations on the Nature of Civil Liberty, 1776; Joseph Priestley (1733-1804), Essay on First Principles of Government, 1771, and James Burgh (1714-75), Political Disquisitions, 1774-5.

The writings of these thinkers, popularisers and radical dissenters were popular in the American colonies during the eighteenth-century, where Political Disquisitions was said by Bernard Bailyn to be "the key book" in the 1770s. (142, p.32).

7. C.S, I, p.6, c.f.ibid, p.38,& 30, vol.i, p.32.

Paine requested from Franklin in England, writings relevant to his preparation of Common Sense. According to John Adams, for instance, Paine admitted that the scriptural arguments which he used against monarchy in Common Sense, not to mention those in 'Forester's Letter' III, were borrowed from Milton, probably his 'First Defence' (31, p.333). Paine also quoted from Milton's Paradise Lost (C.S,I, p.23).

CHAPTER THREE *

CRITERIA OF WELL-CONSTITUTED GOVERNMENT

We are concerned here with Paine's views about republican government and republican society; the role of the social compact in the initiation of government (Section 1); his arguments against monarchy and hereditary succession (Section 2); his ideas about the relationship between republicanism and moral obligation (Section 3); and his views on participation, representative decision-making, and constitutions, especially the bearing of these on the problem of electoral despotism, and the relation between natural rights philosophy and a belief in popular sovereignty (Section 4).

1. The Social Compact and Government

The Social Compact was not only an idea well-established in colonial thought by 1776, but it was also regarded by many colonists as an historical fact and not just as an hypothesis or legal fiction upon which could be based a theory of political obligation. The social compact was the association of free individuals to form a civil society, an example of which was the Mayflower Compact of the Pilgrim Fathers in 1620. Paine believed that the decision to create a civil society was the one decision on which unanimity would and could be assumed to prevail.

Furthermore the compact, in its written form, was a source of, and the means to, a law-limited government. The exchange of natural, for civil, rights was an historical account of the origin and subsequent popular control and modification of particular political systems. For the colonists, law-limited government was a traditional idea derived from several sources which included English common law and documents such as the Magna Charter, the Puritans' regard for Divine Law, respect for the Stoic concept of natural law, and Crown charters to colonies and

* Notes and references: pp.159-164

trading companies, and orders of government. Only after their failure, in the 1760s, to obtain redress of grievances by appealing to the colonial charters and the English Constitution, did the colonists, after the Stamp Act of 1764, increasingly change their view of fundamental law, from that of a law embodied in the English Constitution to that of a written supreme law, embodying abstract principles of natural origins. "Not until Paine, is cast aside reliance on the British system of constitutional limitations, to place reliance on a higher source of law; nature" (170, p.362). But the colonists' idea of a constitution was consistently that of a supreme law above, and restraining, the positive enactments of governments, and so their desire in the 1770s for political independence presupposed a constitutionalism that was based on a distinction between Parliamentary and fundamental law that was alien to the English Whig doctrine of Parliamentary supremacy. Pre-revolutionary literature of protest always had "as its basic principle the conception of government under law" (ibid, p.360, c.f. 17, p.184), and for Rossiter "the written constitution was a major contribution of Revolutionary thinkers and doers - generally the same men - to the development of modern political thought and practice" (1).

The ideas of a social compact and a written constitution were, thus, not peculiar to Paine, but in Common Sense he was one of the first writers in America to suggest the method of a constitutional convention for putting these ideas into practice (I, pp.28-9), and this became an important feature of his subsequent writings. A convention was "the personal social compact. The members of it are the delegates of the nation in its 'original' character, future assemblies will be delegates of the nation in its 'organised' character" (R.M.I, I, p.279, c.f.12, pp.100-01). Election of the delegates comprised an expression of what Paine called the general will, or the sense of the nation with regard to political reform (L.A.A, II, p.499-p .504). The convention prepared

a written constitution in conformity to the Declaration of Rights, listing civil rights and the forms, powers and limitations of government. Thus "A constitution is the act of the people in their original character of sovereignty. A government is a creature of the constitution; it is produced and brought into existence by it. A constitution defines and limits the powers of the government it creates" (C.G.C, II, p.990, c.f R.M.I, I, p.278). This role of the constitutional convention was seen by R.R.Palmer as "The most distinctive work of the Revolution" (239, I, p.214, c.f. ibid, p.215), and as a "distinctively American theory. European thinkers in all their discussions....had not clearly imagined the people as actually contriving a constitution and creating the organs of government. They lacked the idea of the people as constituent power" (ibid, p.226). In so far as he believed that a constitution should be based on a Declaration of Rights, Paine conformed to general colonial thought in seeing a constitution as the translation by the wisest men of a higher law embodying immutable and eternal principles of justice. However, although for many colonial writers "The distinction between fundamental law and merely legislative or statutory law was perfectly clear....Nevertheless, the origin or source of fundamental law was not so clear" (172, p.10). Paine also ascribed the supremacy of the constitution over legislatures to its origins in the commands of the sovereign people (174, p.409).

Proposed constitutions should be endorsed by popular ratification before constitutional government could be established and "the people who composed society assume the title of citizens" (II, p.367). The principle of majority rule which was unanimously, if tacitly, accepted as necessarily inseparable from the creation of civil society, was adopted throughout the constitution-making procedure (L.A.A, II, p.508, R.M.II, I, p.453). This principle was conformable to the principle of equal rights since all individuals retained the natural right to express

their opinion on government (L.A.A, II, p.508, D.F.P, II, pp.584-5), and there was assumed to be no permanent and fixed membership of the group which formed the majority opinion on issues, but rather a shifting composition of the majority and minority according to each issue (C.R, II, p.1006, L.A.A, II,p.508, D.F.P. II, p.585). Thus, contrary to radical individualism, the individual was bound to accept majority rule on all issues except the decision to enter civil society which entailed the acceptance of the majority principle, and which in effect was a decision that was never formally taken because Paine assumed that unanimity would prevail.

The people initiated in the compact a political system and then, in their civil capacity, elected particular governments as a trust which was defined by a written constitution (R.M.II, p.379). What was said by Parrington to have given "fresh significance and vitality" to Locke's natural rights theory, and what was contrary to the Whig ideas of an original compact and Parliamentary supremacy, was Paine's idea of a continuous reaffirmation of the compact by each generation, in constitutional conventions (162, pp.332-3). Constitutions should include among their provisions the means for their own periodic review and amendment. This made effective the retention of freedom of opinion which allowed the principle of majority rule to obtain; it guaranteed a continuing expression of popular wishes about government independent of government, and, according to Wright, it represented "a significant advance in political theory and practice. A written constitution together with an amending clause was a means of securing continuity and change, stability and flexibility" (2). Thus, on the one hand, conventions enabled society to exercise its sovereignty over government in a manner which did not involve destroying and rebuilding the political system, and on the other hand they allowed the development of the structure and the particular powers of government regardless of whether the trust had been broken or not

A further elaboration of the natural rights idea made earlier by Paine than by most American thinkers, was the extension of the compact philosophy to a contractual federation of civil societies. Paine believed that the American states should form a strong national union in order that the civil powers which could not be executed at the level of the states could be delegated by the people to a national government (II, p.1214, R.M.II, I, p.346). However, Clark's reference to the shift in Paine's immediate circle of friends, from radical to more wealthy conservative figures, around 1780 (96, pp.xii-xiv) is inadequate as an explanation of what was a continuing theme in Paine's writing from Common Sense onwards (C.S, I, pp.28-9, II, pp.1213-7). Even before the Articles of Confederation went into effect Paine, in Public Good, called for a constitutional convention to outline a continental constitution (II, pp.332-3), so that although Alexander Hamilton is

usually given the credit for having been the first to recognise the weaknesses of the Articles of Confederation and to call for a convention to frame a federal constitution....this was a private letter (of September 1780) and Paine made his plea in a public pamphlet published in the same year, 1780 (96, pp.xxii-xxiii).

Furthermore, as was pointed out by Conway, Paine's opposition to the claim of Virginia to the western lands, and his preference for their national administration, was unlikely to have been derived from a personal interest in the land speculation companies involved, since his proposals were equally inimical to their claims and to those of Virginia (76, p.68).

Paine arrived in America without any traditional state loyalty or vested interests, at a time when the colonies were united against a common enemy. However he recognised that beyond this patriotism there was a social and economic diversity which, without some legal national bond, rendered each individual state insecure in the face of European

powers (C.S, I, p.36). Perhaps influenced at first by Franklin, who put forward schemes for national government in 1754 and 1775, and by the need to preserve a united American front that was made apparent to him as secretary to the Committee of Foreign Affairs, Paine continually maintained that only a strong national union could secure the states in their pursuit of the American mission. However, Paine's background, coupled with his observations and his idea of America's future, do not by themselves fully explain his divergence on the question of national government from most radicals in colonial and independent America with whom he otherwise agreed. Those radicals who saw independence as a means to social and political reform regarded the state governments as bulwarks against the strong national government that was desired by the wealthy conservatives and would, as in the colonial system, be imposed from above and would encroach upon local liberties. Sovereignty was seen by the radicals to appertain to the people compacted in states, for they followed Montesquieu in believing that representative government could succeed only in small, homogeneous societies. A national government of the United States would be remote from the people, dominated by party organisation, and beset by inter-state conflict and social instability. Thus the weak Articles of Confederation were, according to Merrill Jensen, "the embodiment in governmental form of the philosophy of the Declaration of Independence" (152, p.15, c.f. ibid, pp.162-5). Paine, unlike the radicals, did not view representation as a mere substitute for direct democracy, and he did not believe that the creation of a national government either logically or practically implied the dissolution of the states' governments. National government was no more inimical to popular liberty than were states governments. He did not conceive of a national government delegating power to the states, but rather of the people delegating the executive power of certain of their natural rights upwards to different levels of government (C.P.X, I, p.205, L.R.I, II, II, p.346). The union "collects from

each state, that which, by being inadequate, can be of no use to it, and forms an aggregate that serves for all" (C.P.XIII, I, p.234), and " 'the collective power in any of the parts is constituted for the sole purpose of doing THAT which the minor parts are not sufficiently competent to' " (S.A.L, III, II, p.296). Thus, individuals "proceeding on a sociable principle natural in all men" (*ibid*, p.295) could become members of widening circles of civil society, so that "Every man in America stands in a two-fold order of citizenship" (L.R.I, II, II, p.345).

One of the great advantages of the principle of representation for Paine was, then, that it allowed for the political participation of diverse interests in societies which, far from disintegrating, offered the greatest opportunity for socialisation and the widest establishment of peace, justice and security (18th, F, II, p.598). He hoped that "What Athens was in miniature, America will be in magnitude" (R.F.II, I, pp.371-2). Although he mentioned in Common Sense the case of simple democracy, where each individual exercised his portion of legislative sovereignty in his own person, and where decisions were enforced by public opinion, (I, pp.5-6, c.f, D.F.P, II, p.584), he did not discuss it further not only because of its contemporary irrelevance, but also because he thought it inferior to representative government which was suitable for the unification of developing and expanding societies (R.W.II, p.396 & pp.371-2).

2. Anti-Monarchism

Paine's criticisms of the British constitution in Common Sense were directed particularly at the institution of hereditary monarchy, at a time when the dominion theory of colonial relations received widespread support in the colonies from, for instance, Jefferson, John Adams, Hamilton and James Wilson. This theory, which stated that there was simply a voluntary contractual bond between the colonists and the crown alone, evolved with the increasing discontent of the colonists, from a

plea for representation in the British Parliament, through distinctions between internal and external regulatory power, and between imperial taxation for revenue and for regulation, to demands for home rule with Parliamentary legislation only for imperial functions. A single step lay between the dominion theory and the colonists' rejection of the British monarch on the grounds of natural law and a broken contract, as was claimed in the Declaration of Independence.

Paine, however, founded his objections to the British monarchy on the more abstract ground of a rejection of the legitimacy and desirability of hereditary monarchy as an institution, so that Henry Brailsford believed that no one since, or before him "has stated the plain democratic case against monarchy and aristocracy with half his spirit and force....Paine is writing of what he understands, and feels to be of the first importance" (191,p.69). All the arguments that he used in contrasting monarchy with republican government in Europe in the 1790s can be seen in embryo in Common Sense the principles of which he claimed were the same as those in Rights of Man (L.A.C,I, II, p.910, c.f.II, p.1327). Although he advised suspicion of monarchs, he never disputed the right of a society to choose a monarch for itself (R.M.I, I, p.324, C.F.P, II, p.577). Apart from following John Milton's suggestion that monarchy was contrary to the wishes of God, he associated it with an inherent tendency to claim and to obtain absolute power, even in a mixed constitution (C.S.I, pp.7-8), from experience (II, p.1162) and from a general belief that no individual could, unchecked, withstand the temptations of power -

No nation of people, in their true senses, when seriously reflecting on the rank which God has given them, and the reasoning faculties he hath blessed them with, would ever, of their consent, give any 'one man' a negative power over the whole (F.L.III, II, p.79).

The "primary significance of the term 'monarchy' implies the absolute power of a single individual" (A.F.Q, II, p.525, c.f.A.M.E, II, p.542) and the "abject servitude of the many" (L.A.R, II, p.1316) . This state of

affairs was, in itself, unjust, and Paine saw it as a natural consequence of the claim to hereditary power which was the main object of his attack.

Paine's consideration of hereditary succession was inseparable from his views about constitutional change. His belief that no generation of people in a society had a right to bind a future generation on the choice of either a political system, a particular government, or a specific law, was put forward in Rights of Man I. This belief was in opposition to the claim in Burke's 'Reflections', 1790, that, after the 1688 revolution the British nation had resigned for ever its right to alter the political system. (R.M.I, I, pp.249-55 & pp.323-5). Paine saw a nation as a civil society composed of an aggregate of discrete individuals, defineable by physical and political boundaries, whereas Burke saw it as an organic entity with a contractual relationship between generations. For Paine, the justness and usefulness of hereditary monarchy should thus be "examined abstractly free from custom and usage," for "'on the pure ground of principle', antiquity and precedent cease to be authority" (L.A.A, II, p.483). "Every age and generation must be as free to act for itself in all cases as the age and generation which preceded it" (R.M.I, I, p.251), and "our ancestors like ourselves, were but tenants for life in the great freehold of rights. The fee absolute was not in them, it is not in us, it belongs to the whole family of man through all generations" (D.P.P, II, p.579). These views expressed by Paine in the 1790s were similar to Jefferson's view in 1789 that there could be no perpetual constitution because "the earth belongs in usufruct to the living" (3, vol.xv, p.392, c.f, ibid, pp.395-6). But Paine's ideas were implicit in his basic religious and moral ideas and in his earliest accounts of natural rights. Contrary to Adrienne Koch's view, he did not merely imitate Jefferson

(155, pp.82-8). Common Sense explained that, as a matter of principle, no family had a right to claim hereditary power for itself, and no society had a right to establish hereditary succession (I, pp.14-15, c.f.C.C.R, II, p.218), and in 'Dissertations on Government' Paine said:

As we are not to live forever ourselves, other generations are to follow us, we have neither the power nor the right to govern them, or to say how they should govern themselves... It is the summit of human vanity, and shows a covetousness of power beyond the grave, to be dictating to the world.... It is sufficient that we do that which is right in our own day and leave them with the advantage of good examples (II, p.395).

Rights of Man I only continued this theme in stating that "The vanity and presumption of governing beyond the grave is the most ridiculous and insolent of all tyrannies" (I, p.251).

Paine saw insistence upon the incompatibility of hereditary monarch with equal rights, rather than the mere absurdity or disutility of the institution, not only as his own original criticism, but also as "the more important part of the question" (D.F.P, II, p.573), and as the "strongest of all grounds to attack it upon" (4, p.380, c.f.D.F.P, II, p.579). Thus "there is not a problem in Euclid more mathematically true than that hereditary government has not a right to exist" (D.F.P, II, p.572), for "The right of voting for persons charged with the execution of the laws that govern society is inherent in the word liberty and constitutes the equality of personal rights" (A.J, I, p.607). However, Paine also believed that monarchy, and hereditary monarchy in particular, was incompetent and costly. While he was in America and France he argued that a single remote monarch could not appreciate all diverse interests of a large society (C.S, I, p.15, R.M.II, I, p.370). When he was in Britain, appealing to a commercial people whose traditional concerns were the effects of government on trade and taxation, he stressed not only the past ineffectiveness of monarchy in preventing civil war, but also its extravagant and inefficient nature (II, pp.448-66),

including the high military expenditure occasioned by international insecurity (3). Since wisdom and virtue were not inherited, hereditary monarchs were unlikely to be as well-qualified for their posts as were the leading figures in the arts and letters who gained their position by popular choice and in free competition. The unnecessary expense of hereditary monarchy was one element of what Paine understood by governing too much.

One further, important, part of Paine's case against hereditary monarchy, and against all single executives, was the implication that the unnatural distinction between governors and the governed held for the honour and dignity of the governed. He said in 1777 that he had apart from a "fixed immoveable hatred" of the inhumanities occasioned by monarchs; likewise an aversion to monarchy, as being too debasing to the dignity of man; but I never troubled others with my notions till very lately" (C.P. II, I, p.72, c.f. II, p.520). To imagine that any one person was so superior to all the rest (24, vol.1, p.234), or that human nature in general was such as to require a single, absolute ruler, "does no credit to man, since institutions are based on common opinion" (R.M.I, p.287) and it constituted a badge of disgrace which both denied equal rights and discouraged self-confidence among subjects (c.f. 60, p.10). The acceptance of hereditary monarchy implied agreement with Burke's "contemptible opinion of mankind...he considers them as a herd of beings that must be governed by fraud and effigy, and show" (R.M.II, I, p.366), and "It is to declare that our posterity is to be classed with the animal creation, destitute alike of will and of right. Such a conception debases human nature" (L.A.R, II, p.1317). Thus, "not only the dictates of reason, the force of natural affections, but the integrity of manly pride" should impel man to reject hereditary monarchy (L.A.A, II, p.484). "When man feels his proper character he will blush at

being imposed upon" (R.M.I, I, p.421, c.f, A.M.E, II, p.545, R.M.II, I, p.373 & p.421), and rank and dignity in society would, as they should, "take the substantial ground of character" (R.M.I, I, p.287). Paine argued, furthermore, like Jefferson, that even if the Tory view of human nature was correct, society would only be corrupted all the more by granting absolute power to an hereditary monarchy (F.L.III, II, p.79, c.f. 26, p.233).

3. Republican Government

In Dissertation on First Principles of Government Paine divided governments into those by hereditary succession and those by election and representation (II, p.571) and he summarised his objections to the former as contrary to rights, to mixed government as internally inconsistent, and to monarchy as contrary to human dignity. But his conclusion there, that representative government was the best, had already been demonstrated in Rights of Man II in a comparison of monarchy with the principles of republican government which were the criteria of legitimacy (I, pp.370-3). These principles were expounded by Paine in 1786 in 'Dissertations on Government', and it is to this that we must turn for an understanding of the full meaning of Paine's remark, "That 'civil government' is necessary all civilised nations will agree; but civil government is republican government" (R.M.I, I, p.326).

Paine saw republicanism as a principle of government and not as a specific set of institutions; the word republic derived from 'res publica', and although he did not delineate the functions that could be included under his idea of public good, his discussion of the concept indicates that he saw it in two aspects that were suggested by Cicero:

Those who propose to take charge of the affairs of government should not fail to remember two of Plato's rules; first to keep the good of the people so clearly in view that regardless of their own interests they will make their every action conform to that; second, to care for the welfare of the whole body politic and not in seeking the interests of some one party, to betray the rest (35, p.87).

Public good could be seen as public goods such as national defence which were required by, and which benefitted, all the members of society, in contrast to private goods which served the good of the rulers only (162, p.385). But, also, Paine said, "The foundation of public good is justice" (D.G, II, p.372), by which he meant that when deciding legislation, government should consider each and every citizen as morally equal and worthy of equal respect in his equal natural rights. The public good was not an organic unity that transcended individuals (106, p.179), but rather was a concept of equal justice; "The public good is not a term opposed to the good of individuals; on the contrary, it is the good of every individual collected. It is the good of all, because it is the good of everyone" (D.G, II, p.372). "Republican government is no other than government established and conducted for the interest of the public, as well individually as collectively" (R.M.II, I, p.370). "Government is nothing more than a national association; and the object of this association is the good of all, as well individually as collectively. Every man wishes to pursue his own occupation...." (R.M.II, I, p.388). No particular group of people, whether it be those in the immediate positions of power, or the majority of electors, should be given favoured consideration or treatment (162, p.385). If the objects of public policy were to be the public good, then political justice must be embodied in that policy, and so the public good precluded any ruling body, whether hereditary or popularly elected, from contravening the rights of any member of society. Public good was thus a concept of justice, of equity and impartiality, no different to justice in private life (S.A.L, II, II, p.289), and by

his statement "government is nothing more than a national association acting on the principles of society" (R.M.II, I, p.361), Paine was not just denying an organic conception of the state, but was also asserting that government was only legitimate so long as it acted by, and in accordance with, the moral principles which, generally, were natural to society. Thus "the governing rule of right and of mutual good must in all cases finally preside" (P.G, II, p.304); the public good was not, as Parrington and T.V.Smith believed, simply the means to a further, overriding, ethical end of maximum utility (162, p.333; 104, p.19). Paine's use of the phrase public good should thus not be interpreted in the light of the subsequent rigorous development of utilitarianism by Bentham, but should instead be seen in the context of the earlier references to a non-calculable conception of common good by, for instance, John Milton (58, vol.v, p.13 & vol.vii, p.359). His formulation of public good may still, however, be seen to entail an open-ended list of practical tasks which governments might usefully perform, depending on the circumstances of the society in question.

In order to explain his belief that public good was inseparable from justice, Paine elaborated the original or first principles on which individuals formed themselves into a republic, and the hitherto general neglect of his important statements about these justifies their extensive quotation.

When a people agree to form themselves into a republic.... it is to be understood that they mutually resolve and pledge themselves to each other, rich and poor alike, to support and maintain this rule of equal justice among them. They therefore renounce not only the despotic form, but the despotic principle, as well of governing as of being governed by mere will and power, and substitute in its place a government of justice. By this mutual compact, the citizens of a republic put it out of their power, that is, they renounce, as detestable, the power of exercising, at any future time any species of despotism over each other, or doing a thing not right in itself, because a majority of them may have strength of numbers sufficient to accomplish it (D.G.II, pp.272-3).

In this pledge and compact, Paine said, lay the foundations of a republic, of government aiming at the public good in a manner similar to his idea of a federal charter as "a bond of solemn obligation which the whole enters into, to support the right of every specific part" (C.S, I, p.37). Unlike despotic governments, which were "restrained by no fixed rule of right and wrong" (D.G, II, p.370), the administration of a true republic was "directed by certain fundamental principles of right and justice, from which there cannot, because there ought not to be, any deviation" (ibid, p.372). As instances of what the people, in their compact of equal justice, renounced as "despotic, detestable and unjust", Paine mentioned "the assuming a right of breaking and violating their engagements, contracts and compacts with, or defrauding, imposing or tyrannising over each other" (ibid, p.375). In concluding his account of public good, he stated;

The sovereignty of a despotic monarch assumes the power of making wrong right, or right wrong, as he pleases or as it suits him. The sovereignty in a republic is exercised to keep right and wrong in their proper and distinct places, and never suffer the one to usurp the place of the other (ibid).

The distinguishing feature of a republican government, or of government aiming at the public good, was a combination of just origins with useful, but just, intentions. (D.G.II, p.412). It was based on a compact between all citizens in an agreement to accept the principles of equal justice in government, and it aimed at the public good which included, first and foremost, the security of rights of all the members of the society.

Whereas the public good for Rousseau could only be ascertained by the general will of all the citizens, which could not be represented, for Paine the representative system of government was the only system of government which could effectively meet the criteria of justice and usefulness that were set by republican principles. Consequently, although

it was not the case that "Paine understands by 'republican government', government by elected representatives" (98, p.26), he did, like Jefferson, and the Commonwealthmen, emphasise representative government, in his recommendations to France and England in the 1790s. Unlike government based on superstition or on power alone, representative government originated in a compact which entailed the recognition of equal rights by the people, a majority of whom then held the ultimate political power. (R.M.I, I, p.277). Since the representative principle based the strength of governments on popular support, making governments publicly accountable, the just conduct of government was aligned with the self-interest of the governors, since both directed that only the public good be pursued. Paine explained that whereas the power of the old régimes was based on popular ignorance (S.A.L, II, II, p.209, R.M.I, I, p.338), representative government would disseminate full information about its activities, and about government in general, making it fully intelligible to all citizens (R.M.II, I, p.375, R.M.I, I, p.297) "Government in a well-constituted republic required no belief from man beyond what his reason can give. He sees the 'rationale' of the whole system, its origin and its operation....it is best supported when best understood" (R.M.I, I, p.338). The principle of equal rights which was embodied in representative government also encouraged the people's awareness of their personal honour and dignity, upon which was based the exercise of their better faculties; "self-respect is the attribute of a free nation" (II, p.519) and then "the human faculties act with boldness and acquire a gigantic manliness (R.M.I, I, p.338, c.f.69, p.10), and thus Nursey-Bray was able to say correctly that for Paine, through representative government,

Man is again responsible for his own destiny, free from the domination of an alien power. Man has achieved mastery over government by participating in it, and has thus achieved mastery over himself. By gaining control of the forces that previously dominated him, man has regained his identity (4)

The flexibility of the representative system made it especially suitable for the large and developing societies in which Paine was most interested, and in which every interest could "find and feel itself in the national representation" (18th. F, II, p.598) and so willingly accept political obligation and social unity (II, p.676, L.A.R, II, pp.1316-7). In parallel with the individual's exchange of some of his natural rights for civil rights and the protection of civil power, and with any partial associations such as those for the pursuit of knowledge (M.A, II, p.1110), society as a whole benefitted by representative government which collected opinions and knowledge of interests from all members and sections of society (R.M.I, I, p.341). As in the arts and letters, those people who were best qualified by talent and character, by maturity and experience, were enabled to reach the highest public offices (R.M.II, I, p.371, c.f, R.M.I, I, p.341, c.f.57, p.82). Thus representative government took "nature, reason and experience for its guide" (R.M.II, I, p.367), and that system of government which conformed to political justice was also that system which was most likely to achieve cost-efficiency in pursuing the public good.

Paine summarised the arguments of Rights of Man II for the representative system as; the only true system of government, on the ground of rights, the only system under which the liberties of the people could be permanently secure, and, further, as a system where there was a continuing probability that only people qualified by principles and abilities would be admitted into government (II p.458-9). Thus, to Paine, republican government was not representative government, but representative government was desirable because it was republican government.

4. Republican Society and the Nature of Representative Rule

An examination of the relationships between Paine's ideas and, on the one hand, the totalitarian implications of the doctrine of popular

sovereignty and, on the other hand, the political ideas and schemes of the American Federalists, will help to indicate some implications of his views about human nature for his model of a republic. Although he did not write a specific account of representation and the nature of public decision-making, his ideas on these subjects, randomly expressed, constituted the substance of his republican political system.

The first point to be clarified is the widely-expressed criticism of Paine that was made in the Publicola Letters by John Quincy Adams in 1791, and by several subsequent writers such as Elder (97, p.87) and Fennessey (98, pp.30-2). This criticism was that Paine, in stating that a people had a right to do as it pleased in connection with government, in effect allowed for majority tyranny, by ignoring the supposition that: "The eternal and immutable laws of justice and of morality are paramount to all human legislation." (22, p.10).

The violation of these laws is certainly within the power, but it is not among the rights of nations... If, therefore, the majority thus constituted, are bound by no law, human or divine, and have no other rule but their sovereign wills and pleasure to direct them, what possible security can any private citizen of the nation have for the protection of his unalienable rights. (ibid, p.11).

Paine might be held to have seen a constitution as a sufficient panacea for government ills; he did not consider that it might be an insufficient safeguard against the potential tyranny of a majority of the electors, and he could only conceive of a hereditary executive, and not an elected legislature, as the political enemy of society and justice. Nursey-Bray, for instance, saw Paine's natural law concept as a set of highly egoistic demands which, lacking an ethical foundation, might easily become inflated beyond what was justified by real grievances, justice, utility or even practicality (103, p.157).

Paine's early writings, because of their immediate , practical, but transient impact during the war of independence, have been traditionally

appreciated as propaganda, exhorting patriotic action of a military character. The significance of his remarks concerning the needs of a future American republic once the struggle for independence was over, have been overlooked. Paine hoped that during the years of crisis and of shared experiences, wide and deep bonds of social unity would be formed which might secure a republic of the United States which was, for him, the 'raison d'être' of the war (II, p.1491). Although his interest in social unity might have derived in part from the importance of patriotism during the war, his writings then called not merely for ephemeral nationalistic sentiment, but for a lasting common understanding and spirit of liberty (C.P.I, I, p.54, C.P.V, I, p.123, c.f , L.R, II, pp.218-20). He advised the constitution-makers, in 1778, to take account of the temporary, war-induced nature of the popular concern for liberty; "there is a peculiarity in the temper of the present times....the idea of freedom and rights is high" (S.A.L, I, II, p.292), but "A return to commerce, and the peaceable stations in civil life, will, in a few years, abate the ardour and activity of the warmest defender of civil rights. When the enemy is gone, the visible necessity will expire, and the wind cease to blow that kindled and yet keeps up the flame" (S.A, L, III, II, p.293). Paine advised the people to appreciate constantly, and to regulate, their spirit of liberty over and beyond the passions of the circumstances, for if they thereafter neglected the exercise of their rights they could have no cause for complaint about the despotic consequences. (C.P.V, I, p.128, S.A.L, IV, II, p.302).

If Paine was not appealing simply to nationalistic fervour, neither was he emphasising radical individualism, for his understanding of liberty was founded on the widespread belief of colonial writers that representative and responsible government depended not upon institutions alone, but also on a sound basis of private morality and social virtue.

Liberty, according to Hossiter, was popularly regarded as essentially a matter of practical ethics (16, ch.xiv, *passim*, c.f. 150, p.87). Newspapers and journals imitated the tone and content of English literature with which Paine was familiar, most notably in discussing, and appealing for, a general love of justice, sincerity, good manners and a respect for the lessons that were to be learned from the classical age. Assumptions that were taken for granted included an interdependence between private and public morality, and between these and religion, education, a simple life and, above all, good government. The widespread acceptance of these considerations led to Paine's conviction that the colonists were qualified for republicanism by their spirit of patriotism, the meaning of which for him can only now be correctly appreciated;

If we give to patriotism a fixed idea consistent with that of a republic, it would signify a strict adherence to the principles of moral justice, (my emphasis), to the equality of civil and political rights, to the system of representative government, and an opposition to every hereditary claim to govern (II, p.1369, c.f. II, p.1372 & 6, p.310).

Republicanism required self-discipline, for "a great part of the happiness of any people depends on their good temper with each other" (S.A.L. I, II, p.279, c.f. II, p.1275). "The moderation of temper is always a virtue" (L.A.A, II, p.511) while "moderation in principle, is a species of vice" (idem) and "domestic tranquillity depends greatly on the chastity of what might properly be called NATIONAL MANNERS" (C.S, I, p.40, c.f. 69, p.229). The press was especially influential over manners in public debate (M.A, II, p.1110, F.L.I, II, p.63) and abuse of the freedom of the press could "unhinge the public mind....from every obligation of civil and moral society, and from all the necessary duties of good governments" (L.R.I, VI, II, p.364, c.f. L.R.I, II, p.352 & II, p.1010).

Paine's idea of patriotism and good manners as, like Montesquieu's idea of civic virtue, essential to a republic, helps to counter the belief that he was almost

solely concerned with rights to the neglect of duties. Paine in Americansaw the social compact embodied in a Declaration of Rights, as a compact of equal justice and mutual obligation, because he was writing during a period of intensive and, for the first time, locally-conceived, state and national constitution-making. But, by the force of circumstances, he was more concerned in his later writings in Europe with explaining the idea of rights as claims against vested interests and against the ideas of existing governments. He nevertheless replied to the charge that he over-emphasised rights, with the statement that the idea of natural rights, granted to man by virtue of his moral capacity and needs, contained within itself the idea of duties, and indeed "It is by understanding his rights that he learns his duties" (D.F.P, II, p.583). An understanding of the equality of man and an appreciation of personal rights, should convey an apprehension of social duties. Thus Paine said of the equality of man from God:

It is one of the greatest of all truths, and of the highest advantage to cultivate. By considering man in this light, and by instructing him to consider himself in this light, it places him in a close connection with all his duties, whether to his Creator or to the creation, of which he is a part; and it is only when he forgets his origin, or, to use a more fashionable phrase, his 'birth and family', that he becomes dissolute (R.M.I, I, p.275).

A claim for personal rights was, ipso facto, an appreciation of the rights of all men, and thus such a claim logically comprised a recognition of personal duties, not only of a negative, but also of a positive, socially-interested kind; "When we speak of right we ought always to unite with it the idea of duties; rights become duties by reciprocity. The right which I enjoy becomes my duty to guarantee it to another, and he to me,..." (D.F.P, II, pp.579-80 , c.f, R.M.I, I, p.316). Distinguishable, then, from Paine's idea of a prudential reason for the observance of duties (D.F.P, II, p.583, c.f 69, pp.170-1), was the view represented by his statement: "My idea of

supporting liberty of conscience and the rights of Citizens, is that of supporting these rights in 'other people', for if a man supports only his 'own' rights, for his 'own sake', he does no moral duty" (9, p.25).

The extent of Paine's consideration of the relations between society and a ruling majority within it, can now be discussed on the basis of the above account of his conception of the relation of rights to duties between citizens within a society. He never stated that there was a natural law of majority rule, for this should be seen as a principle of good government only within the context of government itself as an expedient. The authority of majority opinion was not based on numerical superiority alone, nor on its superior wisdom, but on its potential justness, guaranteed by the social compact.

Although Paine and Jefferson were similar in their belief that there could be no right contrary to justice and to the rights of others, and in their belief that a Declaration of Rights was essential for a republic, they differed in one important respect. Jefferson saw the social compact as a fiction, embodied in a constitution, and he saw the Declaration of Rights as an instrument of control over the immediate governors who, as did old régime monarchs, might serve their own private interests and not the public interest. In letters in 1816 he defined a republic solely in terms of representation and citizen participation (40, p.49 & pp.52-3). But for Paine, a compact, as a moral agreement to accept the principles of equal justice, constituted the essential first principle of a republic, and this compact was embodied in an immutable Declaration of Rights. It was then an abiding ethical basis for society and for judicial control over excesses of popular power (D.G.II, pp.373-4). According to Wright,

It is essential to an understanding of the basic assumptions and beliefs of that age to recognise that bills of rights were part of the fundamental laws which limited legislative and executive powers, even though these offices of government were elected, directly or indirectly, by the people. They placed limitations upon the power of majority rule. (172, p.12).

For Paine, the obligations incumbent on the exercise of political power were based on the moral obligations that were agreed upon at the social compact which defined the extent of political obedience. Each and every member of a republic "mutually resolve and pledge themselves to each other....to support and maintain this rule of equal justice among them" (D.G.II, p.373), and they renounced the despotic principle "as well of governing as of being governed" (*ibid*). Paine's idea of republican and representative government was that of government based on moral foundations, and pledged to pursue a just aim, in contrast to the rule of caprice whether in a state of nature or in a government "restrained by no fixed rule of right and wrong" (D.G, II, p.370). The principle of equal justice which was the "common cementing principle which holds all the parts of a republic together, secures him (the individual) likewise from the despotism of numbers: for despotism may be more effectually acted by many over few, than by one man over all" (my emphasis) (D.G, II, p.374, c.f, *ibid*, p.390, & 6, p.311). For an assessment of the power exercised by any particular republican government -

we must examine how far the power of the people extends under the original compact they have made with each other:... whatever the people in their mutual, original compact have renounced the power of doing towards or acting over each other, the representatives cannot assume the power to do (*ibid*, p.375).

All of Paine's statements referred to here, preceded the abuse of representative authority in France in 1793 - he criticised the Pennsylvania radicals in 1784 for attempting to "monopolise Government" and to "expect more than can or ought to be done" (II, p.1247)

A Declaration of Rights, distinguishable from, and published independently of, a constitution, was clearly of great importance to Paine - it was

not a creation of them, nor a donation of them. It is a manifest of the principle by which they exist, followed by a detail of what the rights are; for every civil right has a natural right for its foundation, and it includes the principle of a reciprocal guarantee of these rights from man to man (D.F.P, II, p.583, c.f. C.C.H, II, p.274).

Besides providing the basis for constructing a form of government and a constitution, a declaration also performed, as a visible expression of political justice, a continuing educative function. Federalists such as John Quincy Adams argued that paper documents were needed for the protection of rights only against hereditary monarchs, and that they did not apply to representative systems where the fact that the people had made the constitution was a "better recognition of popular rights than volumes of those aphorisms which make the principal figure in several of our state bills of rights and which would sound much better in a treatise of ethics than in a constitution of a government" (41, p.513). Paine agreed that rights could only be protected, ultimately, by what was called by John Meng with reference to the Serious Address Letters, "the spirit of a democratic constitution" (129, p.306, c.f, ibid, pp.291-2 & 130, p.10). But Paine also saw that the maintenance of this spirit required a Declaration of Rights which could perform in the popular apprehension of the principle and content of rights, the role which he believed the creation could play in the general knowledge of the principles, and the practice, of moral justice (c.f, I, p.239). Paine's concern for a declaration, here, implies less trust in an unaided popular adherence to justice than the Federalists, perhaps cynically, expressed. It helped to ensure that the majority obeyed only a just government, the guiding ethical rule

of which was the universal natural law conveyed by the third of Paine's three bulwarks of a republic; "Aux trois garanties des Républiques: Que les opinions soient libres! Que les droits soient égaux! Puisse la majorité gouverner les autres, comme elle se gouverne elle-même!" (77, p.404). His concern for equity and impartiality in government was evident in his statement that there was no injustice so long as a majority which preferred costly government to reform, did not impose conditions on the minority any different from what it imposed upon itself (R.M.II, I, p.447). He secured the publication in France, by way of a contrast to Napoleon's government, ^{of} Jefferson's Inaugural Speech of March 17th 1802 (81, p.194, II, p.1427), which stressed "this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate would be oppression" (26, p.232). According to Paine, the laws of a country "ought to be the standard of equity, and calculated to impress on the minds of the people the moral as well as the legal obligations of reciprocal justice" (D.G, II, p.408).

It is possible to examine further how, and why, Paine advanced his conception of a republican society in which discrete individuals had their own rights and pursued their own interests, and yet also imposed justice on the control and exercise of power. As an introduction to an analysis of the nature of representation and the relationship between this and society in Paine's republic, some broad distinctions will be drawn between ideas about the role of the elected representative.

The sixteenth-century English Tory view of Parliament was governed by the idea of the monarch as the sole initiator of public policy. Members of Parliament were delegates for the expression of local grievances. The monarch had a regard for the community as a whole,

and placed the long-term interests of the nation before sectional claims, as did the ideal of the English politician, Bolingbroke (1678-1751), in The Idea of A Patriot King, 1738. The Patriot King encouraged public spirit and national loyalty, and his authority depended, ultimately, on the popular support that was earned by a defence of the English constitution and of the traditional rights of Englishmen. Bolingbroke put forward his ideal as a contrast to Machiavelli's self-interested Prince, but there was also a place in his scheme of government for a Country Party that represented the nation and preserved constitutional balance. Contemporary politicians were criticised because of the attention they paid to financial interests and because of their subservience to court manipulation. According to Isaac Kramnick, then, Bolingbroke's -

reforming Patriot King must be a humanist prince who influences by his moral example, and not a political reformer who deals with classes, powers and privileges... The Patriot King whose own moral example and virtue alone will return the body politic to its lost liberty and true principles is the most powerful of reformers who can renew the spirit of liberty in people's minds (199, p.167).

The Parliamentarism of the English Old Whig view of representation, which consisted of the idea that Parliament should deliberate on legislation, was epitomised in Burke's Thoughts on the Cause of the Present Discontents, 1770, and in his well-known Address to the electors of the city of Bristol of November 3rd 1774. The nation was seen to be one entity, with an undivided interest which could be discovered by reason. Consequently, M.Ps should not simply represent individuals, interest groups or local communities and grievances, for their duty was to represent the interest of the nation as they saw it. They could thus be seen to be pursuing a similar object to that of Bolingbroke's Patriot King. M.Ps might be elected by traditional corporate bodies in society, such as universities, but those interests should be seen only as a source of primary information from a basis of which members could deliberate upon the national interest. There was no doctrine of

a mandate, and no ideas of balancing partial interests or of expressing a general will; the people trusted the wisdom of their representatives. The concept of virtual representation, and the existence of rotten boroughs which admitted independent members to Parliament, were two features of the system of representation in eighteenth-century England which were justified by the Old Whig theory.

The Liberal theory of representation, expressed in the American Federalist Papers of 1787-8, adhered to Parliamentarism but also stipulated that the rational, independent citizen was the subject of representation. M.Ps were not subservient to constituents' instructions or to party discipline. The franchise should be granted to those citizens who were educated and independent enough to warrant it, which meant those who met certain property-owning or direct tax-paying criteria. Through a recognition of socio-economic change, liberals saw the main interests no longer as the continuing corporate orders of society which survived from feudalism, but often as the shifting financial and commercial groups whose representation was especially feared. Although a wide franchise was demanded in order to allow all interests to be represented, the electorate's demands should not determine legislation. The legitimacy of virtual representation and of rotten boroughs became dubious once individuals, and not social orders, were seen to be the units of representation. However, by the rejection of a stratified society for a liberal and acquisitive one, and by the provision of a political framework within which interest groups could operate, a shift in the nature of political debate and public aspirations was institutionalised, and thus legitimised. The way was opened for a decline in the independent and disinterested deliberations of public interest which Bolingbroke and Burke alike had cherished.

Radical theory denied Parliamentarism because it saw representation

of all people as merely an indirect form of simple democracy. The experience of early colonists with local town meetings in New England for instance, led to the belief that the elected legislature was only an expedient substitute for such popular meetings. (146, p.44.; 142, pp. 91-3). Although extra-Parliamentary associations were approved of by Radicals they distrusted special interests and partial factions even more than did the liberals. Whereas both the Radical and Old Whig theories involved the idea of legislation directed by principles of public good, radicals demanded universal suffrage as one condition of popular sovereignty, and they did not formulate a theory of representation that explained how the direct representation of the opinions of all citizens could be translated into a unanimous public will. The idea of perfectly responsive legislators was not reconciled with a need for coherent and consistent public policy - Rousseau's ethical concept of a general will was seen by him to be incompatible with representation.

Paine cannot be unreservedly allocated to any one of these general whools of thought about representation. Like the liberals, he recognised socio-economic change, and saw that there might be many, diverse, and perhaps opposed, interests in a society (C.S, I, p.36, P.G, II, p.306, D.G, II, p.371). He appreciated that economic circumstances influenced knowledge and opinions (L.R.I, IV,II, p.354), and he believed that the various interests must be represented in government if society was to be harmonious, but he did not go beyond the belief that "every man has 'a right to give an opinion'", but no man has a right that his opinion should 'govern the rest' " (D.F.P, II, p.584), for instead he advised each person to make the claim of others "your own, and your own theirs, and you will have a clear idea of the whole" (C.P.VIII, p.161, c.f, L.R.I, IV, II, p.355, L.R.I, VI, II, p.362, S.A.L, III, II, p.294). The faith that Paine had in republican society was based then on the belief that, even though a state of nature would not be completely moral, most people

in a republic would in general not only obey government voluntarily, but would also, whether from ethics or prudence, only obey, and demand, a just government. In other words, Paine's conception of the individual who acted from patriotism in his sense, allowed him to believe that public accountability, as the means for aligning the immediate interest of the elected rulers with that of the people, would not be used by the majority of electors to create a responsiveness of representatives to their sectional and selfish interests, but would instead be used to ensure that governments pursued the public good. Therefore complaints about just, if onerous, taxation, for instance, were contrary to the "sense and spirit of a republic" (R.A.I, I, p.340). Not only did the real strength of government derive from popular support, but also popular support derived solely from just and good government. The Pennsylvania radicals, accordingly, lost their power, and effectively overthrew the constitution, "by rashly using that power which was entrusted to their moderation. The spirit of the Constitution required prudence, and the Actors substituted temper and party in the room of it" (13, pp.1-2).

Paine, like Burke, saw that a consideration of the public good by the legislature required the representation of interests for the provision of basic information upon which to deliberate, although his notions of interests, universal suffrage, and popular control of government were very different from the Old Whig Theory. Furthermore he favoured the representation of all interests not simply in order to ensure political obedience, and wise legislation, but also as the means by which the legislators could approach their task in a spirit of "moderation and prudence, of impartiality and equity, of fair and candid enquiry and investigation, of deliberate and unbiased judgement" (P.C, II, p.410). James Madison, a major contributor to the Federalist Papers, believed that the larger a society and the wider the extent of

representation, the less likely was it that there would be a majority of the whole with a common selfish interest; the larger the society, the greater the possibility that partial interests would check one another (41, p.83, p.325). Paine, while in agreement with Madison (S.A.L. II, II, p.288), also believed that the expression of, and the attention paid to, partial and selfish interests might be a feature more of a small than a large society where there would be a more diverse range of social contacts. Paine could view socialisation as a significant feature of a legislature which was a microcosm of a large society; members would come into contact with, and learn to appreciate, opposing interests, and so recognise the partiality of their own standpoint. Where partial representation would lead to partial legislation (R.M.IX, I, pp.410-3) full representation would enable the individual members to see themselves as part of a larger whole and to gain a comprehensive view which transcended the limitations of, but was acceptable to, all the parts (L.R.I, V, II, p.358). Paine's belief in the possibility of agreement on the public good, which he shared with Radical theory, was thus dependent on a combination of rational deliberation and socialisation. The idea of socialisation added a dimension to decision-making which was not to be found in the mechanistic processes of checking and balancing, or of resolving conflict by bargaining and compromise, of the Federalists. It also enabled Paine to disagree with radicals in believing that, although representatives should be accountable, they need not be delegates but could deliberate among themselves upon the public good which would be demanded of them by society. Like the Old Whigs, Paine believed that representatives should shed party loyalties once they had entered the legislature, and view society as having one, undivided interest, seeing " 'over' the whole, and in 'behalf' of the whole" (L.R.I, IV, II, p.355). "The state appears before 'him' with an 'undivided' interest; and the several members collected into one body

from the several counties, form a 'whole' acting for a 'whole', themselves being included" (S.A.L, III, II, p.294, c.f, S.A.L.I, II, p.286). Like the radicals, Paine condemned party politics in the legislature. Party was "hardened against conviction....and denies to its own mind the operation of its own judgment" (5).

A distinction in Paine's thought has been drawn by Elder between general political issues, which the public could decide, and decisions which required the technical skill of officials (97, p.116). But since Paine did not elaborate this distinction in institutional terms (II, p.448 & 676, R.M.II, I, p.368), the relationship which he conceived between government and popular political activity might be examined better through an analysis of his general views about political participation. He agreed with Jefferson's belief that there was in society a natural aristocracy of people endowed with virtue and talents, rather than the hereditary privileges and wealth which defined what was for Jefferson the artificial aristocracy favoured by Burke and his American philosophical counterpart, John Adams (49, pp.632-3). For Paine, at least as important as the wisdom and knowledge which led him to apply to government the phrase "where knowledge is a duty, ignorance is a crime" (P.G, II, p.331, D.G, II, p.395, R.M.I, I, p.341), was a sufficient "integrity to go through it, untempted by interest, and unawed by party" (L.R.I, VI, II, p.362), with "that dignity and benevolence in the spirit of the laws, which scorns to invade or to be invaded, being the effect of principle refined by education" (S.A.L, I, II, p.286, c.f. L.B.II, II, p.418). Cecilia Kenyon suggested that this conception was "a pathetic imitation of the aristocratic ideal of generous service to country and was already inappropriate in a nation where government was no longer the exclusive concern of the rich and well-born" (127, p.1097). But this ideal was a "pre-Revolutionary English

notion of government as a source of honour and profits" (*ibid.*, p.1096), applicable only to the independent and leisured nobility whose declining power and prestige was a cause of concern to Bolingbroke, but whose destruction as a class was welcomed by Paine (C.R., II, p.1000). The closest approximation to Paine's idea of serving the community for its own sake, with a resulting sense of personal satisfaction, was the classical idea of disinterested service which was admired by the colonists in general and by Jefferson and Franklin in particular. Paine said, for instance; "Those are truly honourable who, nobly disregarding private ease and interest for public welfare", sat in the Continental Congress of 1775 (II, p.34). Just as he stated that to be a ruler by popular choice was more noble than to rule by hereditary succession (C.P. III, I, p.79), so Paine believed that elected governors could be inspired to virtue by their office of trust and of honour rightly understood (R.F.II, I, p.394).

The ambivalent implications of Paine's account of human nature are nowhere more evident than in his maintenance of the ideal of public service concurrently with the demand, typical of Commonwealthmen and voiced by colonists, for effective public accountability of the governors since those in power could not be trusted to pursue the public good. But although it is misleading to assert that he "failed to see that inertia might well prevent a disorganised majority from ruling in the face of a determined, disciplined minority" (136, p.254), nevertheless Paine's interest in popular political activity should not be overemphasised as it might be by associating his name with the Democratic-Republican societies in America in the 1790s, or as it is by Nursey-Bray who, because he saw Paine's ethical system to be fully encompassed by his idea of natural rights, and so embodied in his principles of government, believed that for Paine political participation

was the instrument of humanisation and regeneration of man and thus, ultimately, of perfectibility (6). A characterisation of Paine as a proponent of wholesale political participation fails to distinguish between, on the one hand, the publicising of government activities, general political awareness (R.M.I , I, p.351, II, p.1182), and the general election of representatives and constitutional conventions, which he did suggest, and, on the other hand, a continuing day-to-day intervention in government, which he did not propose. The orientation of the individual's activities was towards the social system, and Paine was more concerned to elaborate a political system which would allow socially and materially beneficial activities to be justly pursued in an orderly manner, than to devise a means for the political fulfilment of man (7).

But Paine's idea of republican society did not incorporate a strongly politically- motivated public, the absence of which in fact coheres with his conception of continuous, rather than cataclysmic political change in a republic. Paine nowhere echoed Jefferson's, perhaps uncharacteristic, suggestion in 1787 that "The tree of liberty should be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure" (3, vol.xii, p.356, c.f, ibid, p.442). Paine's model citizen avoided party politics, and attended to his own affairs so long as "everything of public affairs is on good ground" (II,p.1459). In contrast to apathy, there could be a reasoned tacit consent to political measures, so that "A law not repealed continues in force because it is 'not' repealed; and the non-repealing passes for consent" (R.M.I, I, p.254). This form of consent was validated by the natural right to freedom of expression, but it demanded an informed and critical independence of mind on the part of the individual "not easily imposed upon or turned aside from his rightful personal business" (II, p.1284), although disposed to "a great deal of silent observation" (ibid), and a

readiness to act when required to prevent degeneration of the government and the republic (H.M.II, I, p.375). The public both served their own interest and performed a duty by informing themselves about government (II, p.33), and, moreover,

A man who is so exceedingly civil that for the sake of quietude and a peaceable name will silently see the community imposed upon, or their rights invaded, may, in his principles, be a good man, but cannot be styled a useful one, neither does he come up to the full mark of his duty; for silence becomes a kind of crime when it operates as a cover or an encouragement to the guilty (II, p.142, c.f. II, p.151).

But although it "Is a duty to one's liberty to use it" (II, p.1158, c.f, E.P, II, p.848), and it was a moral duty to vote when "moral principles, rather than persons, are candidates for power" (L.A.C , VII, II, p.948), Paine emphasised that the citizens of a republic should not delight in controversy, calumny, and denunciation, or despoil the national manners which were the "guardian of our peace and safety" (C.S, I, p.40), or undermine confidence and so destroy all authority (II, pp.337-8). Perhaps, then, the nature of Paine's idea of political participation was not so very different from what Charles Merriam summarised as the "essence of Jefferson's democracy":

a confidence in the self-governing capacity of the great mass of the people - a belief in the ability of the average man or of average men to select rulers who will conduct the administration in general accord with the interests of society (158, p.163).

A theme that can be discussed separately from Paine's views about the balance between political and social activities, is the subtle relationship which he saw between the nature of political behaviour and the nature of whole social and political systems. This is best approached by examining Paine's antipathy to the development of Federalist party politics in America in the 1790s. Nursey-Bray has asserted that, because the constitution of 1787 enshrined the basic principles of natural rights and representation, Paine saw no cause for concern about the political trends in America (103, p.135; 134, p.238). This assertion is far from correct.

In 1802 Paine defined federalism as appertaining to representative, national government, in order to distinguish the federalism of which he claimed he was an early and consistent advocate, from the Federalist politics of, for instance, John Adams, Hamilton and John Jay, who, Paine believed, sought a retreat from representative, to strong hereditary, government (L.W, II, pp.691-3, L.A.C.II,II, p.913). He was opposed to certain features of the constitution of 1787, and he was also alarmed at certain measures which were taken by the Federalist administration in the 1790s. He must also have been made anxious for the future of the American republic by the publication in France, in 1797, of a letter from Jefferson, then Vice-President, which warned:

The aspect of our politics has wonderfully changed....
In place of that noble love of liberty and republican government....an Anglican monarchical, and aristocratical party has sprung up, whose avowed object is to draw over us the substance, as they have already done the form, of the British constitution (8).

Although Paine's immediate opposition to Federalist politics was expressed as a concern, derived from his anti-monarchism, that there might be a return to the British system of government, a separate basis of opposition can be found between Paine and the authors of the Federalist Papers. Paine believed that the mixed constitution of Britain was in principle simple, but became complex through the corruption which, carried out beyond public view, was necessary to make it work (L.A.A, II, p.482, R.M.I, I, p.399). Thus Bernard Bailyn considered that "the intellectual core" of Common Sense was "its attack on the traditional conception of balance as a prerequisite for liberty" (142, p.178). Similarly, Paine believed that the system of checks and balances that was designed for the American constitution of 1787 encouraged, and depended upon for its harmonious operation, the self-interested politics of the Federalist politicians. Far from being a system of separated powers, checks and balances only confounded powers, it was "corruption systematized" (C.G.C, II, p.989, c.f, L.A.C, V, II, pp.928-31). Since

the nature of political practices was influenced by the governmental forms which were shaped in accordance with political principles, (L.W., II, p.693) Paine's divergence from the Federalist scheme of government was not simply a product of a backward look at monarchical supremacy in mixed constitutions. The divergence derived also from a forward-looking recognition of the implications that the Federalist scheme, combined with a liberal acquisitive society, held for his model of republican government: disinterested reason might be replaced by party bargaining as the prime mover in legislative deliberation, ushering in what Paine referred to disparagingly as "this age of negotiation, compromise and coalition" (L.W., II, p.425, c.f., L.W., II, p.711). In Bailyn's words:

The essential units participating in the constitution were no longer formal orders of society derived from the assumptions of late medieval society but interests, which, organised for political action, became factions and parties....what were now seen, though still only vaguely, were the shifting, transitory competitive groupings into which men of the eighteenth century were actually organising themselves in search for wealth, prestige and power (142, p.188).

The ancient classification remained in the back of people's minds; but the problems posed by these disreputable and dangerous elements - factions, interests and parties - were more obtrusive; they threatened the very existence of republics. A republican constitution, to be successful, must contain certain provisions for their control;... contention as such must be understood;... Politics as the wrangling debates of modern assemblies, debates which far too often turn entirely on the narrow, selfish and servile views of party (rather than on) the traditional more dignified sense, must be comprehended and dealt with. (*ibid.*, p.189).

In the words of another writer, "the advance of interests into the arena of legitimised representation meant the decline of one force that had never been voted for; virtue (240, p.531).

Paine's support for simple majority rule was contrary to the current American thought that was in keeping with the traditional composition of colonial governments: popularly elected assemblies, crown-appointed governors, and governor-appointed councils. The checks and balances

scheme of government was also suggested by a combination of Montesquieu's idea of separated powers and the concept of a balance of powers held, by for instance, Polybius and Bolingbroke, and it was further compatible with the mechanistic principles of the Newtonian universe. T.V. Smith was, then, not alone in his belief that Paine "served only the ideal, with no continuing obeisance to the realities through which the ideal comes to birth and with small patience for the limits prescribed to the ideal by action" (104, p.8), for Paine, in other words, believed that institutional change alone was sufficient to cure all political ills, - he "exhibited a lack of understanding of the role of power in government, or rather the operation of the psychology of power on human personality" (103, p.140, c.f., 134, pp.239-40). These criticisms might be reduced to the suggestion that Paine, unlike the realistic Federalists, was utopian in failing to seek to shape institutions in accordance with the undeniable, if unedifying, facts of political life which should have been learnt by experience. Paine was "incurably naive" in not seeing that his simple idea of government "would not have eliminated the inevitable (my emphasis) clash of individual and group interests" (127, p.1094, c.f., ibid., p.1091).

Paine never grappled with the problem which his contemporaries in America believed to be at the centre of republican government. That was the task of achieving at least a moderate measure of justice in a society ruled by men who would always and unavoidably (my emphasis) be influenced by private and sometimes selfish interests (ibid., p.1095).

However, Paine was concerned to formulate in theory, and to encourage in practice, the patriotism and manners which were inseparable from his idea of a republic, and not to accept the political implications of a 'Tory' view of human nature which saw no possibility for change in human conduct. Although he had observed, during his early years in Pennsylvania, the political ills about which Madison was concerned, he did not accept the simple choice for removing the causes of faction which was posed in the Federalist Papers - either destroying the liberty which was essential

to it, or making the unrealistic assumption that all people had similar opinions and interests (41, pp. 77-8). Although he wished to preserve liberty, and he recognised diversity of interests, Paine could not endorse Madison's alternative to eliminating the causes of faction - that of regulating faction by resort to the spirit of faction, in order to control the effects of faction (41, p. 79); that is:

by so contriving the interior structure of government so that its several constituent parts may, by their mutual relations, be the means of keeping each other in their proper place (41, p. 320)

Ambition must be made to counteract ambition....It may be a reflection on human nature that such devices should be necessary to control the abuses of government....This policy of supplying, by opposite and rival interests, the defect of better motives, might be traced through the whole system of human affairs, private as well as public (*ibid.*, p. 322, c.f. 23, p. 11).

Although Madison said that a large society might prevent dominance by any one particular interest, and that the delegation of power to representatives might allow a refining of the public's wishes by wise and virtuous men, he also believed that an alternative product of delegation might be party factions betraying the trust of public office. However, not only was Paine able to hope that representatives would aim at the public good; he was also afraid that Madison's prescription would serve only to encourage and make inevitable, the more pessimistic alternative of his two suggested potential effects of delegation. Since the mind of man could not pay attention simultaneously to public virtues and party interests, Paine was afraid that a "little squabbling spirit should....creep in and extinguish everything that is civil and generous among us" (II, p. 270). Thus, perhaps the Federalists were not only "naive in their belief that political institutions could be designed to compensate for the defects of human reason and virtue" (127, p. 1099), but, also, their object of "reason-saving, sin-proof political machinery" (*ibid.*) would, in Paine's

eyes, only encourage the effects which they hoped to control. He did not fail to recognise the situation seen by the Federalists. But while he accepted the idea of a liberal society and the pursuit of self-interest, he was not prepared to accept resignation to the conflict of selfish interests, and indifference towards attempts to alter this situation. He made a point of distinguishing his idea of a legislator from that of the magistrate whose task it was specifically to reconcile opposed interests (S.A.L, III, II, p.294) and he saw that the Federalists were responsible for the incorporation of conflict as a principle of good government, and so for the legitimisation of the pursuit of selfish interests in society. Where Paine differed from the Federalists, then, was not in breadth of vision or validity in reasoning, but in presuppositions about human nature. The Federalists, unlike Paine, attributed to man the very narrow inflexibility of mind and character which Kenyon held was responsible for Paine's own supposedly unrealistic beliefs (175, pp.533-5; 126, p.1087). For a summary of the fundamental difference between Paine and the Federalists we might, then, turn to John Derry's general account of radicals, who do not, in the words of F.D.Roosevelt, have "both feet firmly planted in mid-air" (195, p.x), but who are

just as responsive to circumstances as the conservative; perhaps more so. The contrast lies in the manner of their response. Some have suggested that while the conservative succumbs to his environment the Radical seeks to change it. Or it might be said that while the conservative gives way to necessity the Radical (whatever his party label) seeks to forestall it (*ibid.*, p.xci, c.f. *ibid.*, p.viii).

Paine's idea of socialisation allowed him to disagree with the Federalist's suspicion that factional politics would arise in a republic, but his psychological ideas impelled him, further, to reject, not only their political prescription, but also that of the Anti-Federalists who saw the constitution of 1787 as "unsafe to freedom and self-government because it did not contain enough separation of powers and checks and balances" (172, p.48, c.f. 187, *passim* & 183, *passim*). A

general acceptance of a need to manipulate an artificial identity of interests, embodied in governmental forms, would discourage the people and their representatives from endeavouring to restrain the pursuit of their interests within the bounds of natural justice, and from exercising the patriotism that was required for the perpetuation of the social compact and the maintenance of a republic. Only on this basis can we understand the apparent paradox involved in Paine simultaneously opposing mixed constitutions, since human nature could not resist the corruption that was encouraged by them, and believing that man was fitted to operate justly a form of government that had no contrived checks built into it. With patriotism as the moving principle of government and society, the people might be encouraged to behave in the manner required if a republic was to be sustained. The views of the Federalists, however, encouraged by their very principles as did the English scheme of government, the interest politics which constituted a rejection by man of his potential sociable nature, and which would erode social harmony and order, confidence and trust. Kenyon considered that Paine's belief that partial interests should not dominate public decisions was "distinctly Rousseauistic" (127, p.1094); but this does not mean that, for Paine, "a just republic requires all individuals to submerge their private desires in the quest for a general will" (*ibid*, p.1093), but simply that the public good could only be discerned by a realisation of the harmony of the real interests of all, and not through a conflict between the selfish interests of each (A.F.4, II, pp.523-4, C.R.II, p.1006). For to devise institutions to avert a need for dependence on the great mass of the people, would be to destroy confidence in human nature, extinguish the hope of popular social and political responsibility, and destroy the liberty that was the rightful object of protection.

If we attend to the nature of freedom, we shall see the proper method of treating her; for, to use a new expression, it is in the nature of freedom to be free. If the ancients ever possessed her in a civil state, it is a question well worth enquiring into, 'whether they did not lose her through the bolts, bars and checks under which they thought to keep her?'. An injudicious security becomes her prison, and disgusted with captivity, she becomes an exile. Freedom is the associate of innocence, not the companion of suspicion. She only requires to be cherished, not to be caged, and to be beloved, is, to her, to be protected. Her residence is in the undistinguished multitude of rich and poor....She connects herself with man as God made him....and continues with him while he continues to be just and civil. To engross her is to affront her, for liberal herself, she must be liberally dealt with... never violate her and she will never desert (S.A.L, I, II, p.284).

Since Paine's republic was more inclusive of dynamic considerations than was that of the Federalists, for whom social and political reform terminated with national independence and the adoption of their constitution of 1787, he proposed a government which has been held by several writers to have allowed for a potential legislative tyranny by the majority in society (27, pp.120-2; 172, p.6 & p.14; 180, pp.335-6). Although he has, so far, been shown to have conceived of definite moral limitations on the exercise of power by the majority, he might still be criticised for not having provided adequate legal restraints upon popular sovereignty. Because his dominating concern was with the tyranny of the old régimes which were not publicly accountable, and which ruled in their selfish interest, perhaps he did not appreciate the possibility of tyranny arising if a majority abused its electoral power in representative government. This view might be seen in the context of Jacob Talmon's interpretation of the development of the French revolution in terms of successive attempts by leading minorities to impose upon society uniform values and beliefs held to comprise the general will (217). There could be only one interpretation of the indivisible and absolute will - that given by the official representatives of the popular sovereign, and, since liberty was identified with virtue, or conformity to the general will, popular sovereignty became

revolutionary dictatorship, and totalitarianism replaced the initial liberal ideals of the reformers. This development made manifest the incompatibility between the idea of the inalienable rights of individuals, and the idea of an indivisible, unlimited popular sovereignty which in practice could only be represented by one, unchallengeable authority. (211, pp.189-211; 214, pp.193-5). Although it might be unfair to see the origins of totalitarian democracy in Rousseau's Social Contract, since he suggested several conditions for the realisation, and limitation of the general will, Paine's thought needs to be looked at in case the charge might be thought to hold against him in view, for instance, of the coupling of natural rights and popular sovereignty in his writings which was remarked upon by Persinger (137, pp.67-70), and of the statement by Alfred Cobban that "between the liberalism of Locke and the Jacobinism of Paine there was an immense gulf" (210, p.14).

Although Paine believed that people could transcend purely selfish motivation, and behave with a respect for the public good, he did not conceive of a people as one organic body whose unified moral will could be expressed by government. In 1786 he contrasted a nation with an army which was composed of individuals combined in a specific, common occupation, and was ruled by a common temper which was formed by a common interest and similar habits, pursuits, and discipline. A nation, on the other hand, was invariably "composed of distinct unconnected individuals, following various trades, employments and pursuits; continually meeting, crossing, uniting, opposing and separating from each other, as accident, interest and circumstances shall direct" (D.G, II, p.371). Paine simply failed to realise that the concept of 'nation' which was employed in the French debates might embody a theoretical development that went beyond what was traditionally understood by the idea of a people in American and English liberal debate (R.M.II, I, p.381). However, it was precisely to the emergence of the emotional and

cultural ideas of the indivisible, unified nation, and national sovereignty which rejected the individualism formerly implicit in the idea of a people associated under government, that Cobban attributed the development of totalitarianism and aggressive tendencies in the French revolution (211, pp.194-210).

Paine saw the French Declaration of the Rights of Man and Citizen, of 1789, which he misquoted in Rights of Man I (I, pp.313-5), against a background of the ideas that were suggested by American documents such as the Pennsylvania State Declaration of Rights of 1776 which he quoted in 'Dissertations on Government' (II, pp.373-4). Article VI of the Pennsylvania Declaration stated:

"That all power being originally inherent in, and consequently derived from, the people; therefore, all officers of government, whether legislative or executive, are their trustees and servants, and at all times accountable to them" (ibid).

Article III of the French Declaration said:

"The source of all sovereignty resides essentially in the nation; no group, no individual may exercise authority not emanating expressly therefrom" (21, p.114), and in Article four :

"The law is the expression of the general will" (ibid).

Paine saw in both Declarations only a contrast between the sovereignty of the aggregated individual members of society vis-a-vis the delegated and subordinate body that was government, and the sovereignty that had been claimed by the old régimes. He did not see the contrast as one between popular, or national sovereignty, and the claims of all individuals to their natural rights. Consequently, he failed to see the internal contradiction in the French Declaration, between Article III, and Articles I and II, and this contradiction helps to illuminate the tensions and developments of the French revolution, for according to Article one:

"Men are born and remain free and equal in their rights" (ibid), and in Article II:

"The aim of every political association is the preservation of the natural and inalienable rights of man; these rights are liberty, property, security and resistance to oppression" (ibid).

Paine failed to appreciate that Article III could be interpreted in France as involving a transference of the one, indivisible and absolute sovereignty that had been claimed by the monarch, to a new unified body - the nation.

Paine's inconsistent use of the language of sovereignty has caused the erroneous attribution to him of the totalitarian implications of popular sovereignty that emerged during the French revolution. He always believed that all sovereignty on earth ultimately derived from God, and that this delegated sovereignty involved in the first instance the equal natural rights of man, of which the rights of freedom of conscience and expression, in particular, were unalterable (R.M.I, I, p.273). But he also said that both the citizens of a republic and the executive should regard the laws of the legislature as legally binding, as the laws of the (legal) sovereign (R.M.II, I, p.394, L.A.R, II, p.1313), although to the government as a whole, the constitution was of course sovereign. Continuing sovereignty could thus be seen to inhere in the aggregate of the people in their roles as constitution-makers and electors of, and dismissers of, governments, and so "The final controlling power.... and the original constituting power, are one and the same power" (R.M.II, I, p.382). Just as he saw national sovereignty as something opposed to the claims of imperial rule, Paine saw popular sovereignty in an individualistic sense, as the idea of the public accountability of the rulers, in opposition to the sovereignty that had been claimed by hereditary and self-imposed rulers. Far from contravening the equal rights of individuals, popular sovereignty was, to Paine, founded on these rights.

In republics....the sovereign power....remains where nature placed it - in the people, for the people....are the fountain of power. It remains there as a matter of right....and the exercise of it is constitutional and legal. This sovereignty is exercised in electing and deputing a certain number of persons

to represent and act for the whole, and who, if they do not act right, may be displaced by the same power that placed them there (D.G, II, p.369, c.f, A.D, II, pp.534-5).

The people did not have complete licence in drafting a constitution, for by the social compact, or first principles of the republic, they were bound to the unalterable Declaration of Rights, itself merely an expression of eternal natural law. Thus "A republic properly understood is a sovereignty of justice, in contradistinction to a sovereignty of will" (D.G, ,II, p.375), for, over and above the nation, God remained the ultimate sovereign (A.D, II, pp.534-5, C.S, I, p.29, II, p.1103).

Governments should conform to the Declaration of Rights. Paine criticised John Adams's description of a republic as an empire of laws and not of men, because such an account did not exclude the possibility of tyranny (L.A.C, II, pp.912-3), as did his own formulation of the government of a "civic empire" as "the empire of laws based upon the grand republican principles of Elective Representation and the Rights of Man" (L.A.R, II, p.1318). Paine also condemned the Declaratory Act which, in 1766, claimed complete Parliamentary authority to make laws of sufficient force and legal validity to bind the colonists in all cases whatever. He saw this claim as one to arbitrary power which denied natural rights and reduced the colonists to slavery (C.P, III, I, p.76, R.M.I, I, p.327, C.P.I, I, p.50), and which, if applied to England, would allow Parliament to repeal, for instance, Magna Charta, the Bill of Rights of 1688, and trial by jury (R.M.I, I, p.319, L.R, II, pp.217-8). What is significant here is that Paine was not solely concerned with checking monarchy, for it was against the possibility of electoral despotism that his idea of a written constitution, based on a Declaration of Rights, was designed; "It is not because a part of government is elective, that makes it less a despotism, if the persons so elected, possess afterwards, as a parliament, unlimited powers" (R.M.II, I, p.384).

He did not see any necessary connection between a constitution and good conduct by governments, for "notwithstanding the limitations that restrain power in its several departments provided by the constitution, much will always depend on the wisdom and discretion exhibited by the various legislators themselves" (A.F., II, pp.525-6); "freedom depends as much on the 'Execution' as on the 'Constitution' " (C.C.R, II, p.273). Nevertheless, Paine saw his constitutionalism as a more effective security to liberty than that which was provided by the English Whig theory of Parliamentary sovereignty. "Where there is a constitution which defines the power, and establishes the principles within which a legislature shall act there is already a more effectual check provided, and more powerfully operating, than any other check can be" (R.M.II, I, p.390), "it is the nature and intention of a constitution to 'prevent governing by party', by establishing a common principle that shall limit and control the power and impulse of party, and that says to all parties, 'thus far shalt thou go and no further' " (D.G, II, p.588). Paine appreciated that there was an English constitution, existing either in fragmented documents or in a traditional spirit of the people (C.S. I, p.9), but as Elie Halévy saw, for Paine the English constitution in the former sense was

to a true constitution what common law is to a written law, which alone is legal, and consequently the analogy of the ideas of Paine and those of Bentham becomes manifest (232, p.187).

Bentham spoke in the same terms of his ideal code....why should not the principle laid down by Bentham for civil and penal law be extended to constitutional law? But Paine adds that, in order to make government legitimate, the constitution must be preceded by a Declaration of Rights of Man. Because of this he again takes a different view from Bentham (ibid, p.188).

A discussion of the legal restraints imposed on government by Paine's ideas concerning constitutional matters, will, then, complement the discussion of his concern for moral restraints on the exercise of power.

The forms and specific details of government organisation comprised what Paine called "matters of opinion", in contrast to matters of principle,

such as representative government itself (D.F.P, II, p.584, c.f, ibid, p.587). Nursey-Bray argued that Paine's interest in government was unsatisfactory in that it ceased with issues of principle, because the ethical strength that he attributed to his first principles gave him the confidence to ignore the detailed problems of the organisation of government (134, pp.235-9; 103, pp.130-6). However, Paine did not "dismiss" matters of organisation as unimportant (103, p.134; 134, p.239); he placed primary emphasis on the exposition of republican principles because he saw this as the logical first requisite of reform. "It is only by setting out on just principles that men are trained to be just to each other" (L.A.A, II, p.506), and "a constitution embraces two distinct parts or objects, the Principle and the Practise; and it is not only an essential but an indispensable provision that the practice should emanate from, and accord with, the principle" (D.F.P, II, p.590, c.f, ibid, p.584). That is, "A republic must not only be so in its principles, but in its forms" (L.A.C, II, II, p.915, c.f, .R.E.I, I, p.297). Consequently, while the French constitution of 1795 was "the best organised system" which man had yet produced, for Paine it erred in principle by tying the suffrage to direct taxation (A.J, I, p.607, c.f, C.S, IV, II, p.590 & 18th.F, II, p.595). Furthermore, Paine gave a second place to discussion of governmental details not only because he regarded the illumination of principles as his first task (A.F.Q, II, p.528), but also because constitutional clauses relating to civil rights and the powers and organisation of government should, unlike a Declaration of Rights, be decided in accordance with the specific circumstances, interests, dispositions, political knowledge and experience of the society concerned at the particular point of time; he called the arrangement of the forms of government the "organical" part of political construction (D.F.P, II, p.584). Paine was similar to Montesquieu in this belief that different forms of government were fitted to different societies (C.S.I, p.34; C.R, II, p.993, S.A.L.I, II, pp.281-2). Thus

he did not regard matters of organisation as matters either of indifference or of little importance. Although he prepared his own extensive draft constitution, now lost, while he was a member of the nine-man constitutional committee appointed in October 1792 (II, p.1340 & p.1365; 73, pp.175-6 & p.334), he generally trusted in the superior technical knowledge and experience of others in the arrangement of governmental forms (9).

The fact that Paine had a secondary interest in what he called constitutional "matters of opinion" does, however, serve to distinguish his thought from the belief, of the French philosophes and physiocrats in particular, that the application of scientific principles to political organisation and to social engineering could bring about a unified social and political order in which the ethical aim of maximum utility could be realised. Clark believed that "The influence of Newton undoubtedly played a large part in Paine's formulation of his ideal machine-like government" (95, p.lvi), but Paine specifically criticised Quesnay and Turgot for being more concerned "to economise and reform the administration of government than the government itself" (R.H.I, I, p.299). Paine's republican principles were universally applicable because they were moral principles, and not because they were scientific laws, and this distinction is reflected in his dominant interest in constitutionalism as such, rather than in the details of particular constitutions. A combination of the analogies of science, such as harmony and order, and the lessons of practical political experience, determined only the choice of the best form of government within the principles of a republic derived from religious and moral presuppositions. In fact the specific recommendations that he made for constitutional forms both opposed enlightened despotism, and formally restricted the potential tyranny of a majority, and it is to an account of these recommendations that we now turn.

Although Paine saw the law-making body as supreme over the executive which could not deliberate on whether or not it should administer the laws

(D.F.P, II, p.586; II, p.1448), he also proposed a strict functional separation of powers between the legislature and executive, so that responsibilities could be clearly defined and so that the two bodies were independent of personal or discretionary influence from each other (10). Although he recognised only two powers in government - enacting and executing legislation, he distinguished between two parts of the executive, the judiciary which executed the law, or caused it to be applied, and the general superintending body, which, consisting of official departments headed by a Monarch, President or Council, was the medium through which the laws were executed (A.F.Q, II, p.524).

Paine always believed that the executive, as superintending body, should be plural (L.W, II, p.697; 18th.F, II, p.597; II, p.1391; R.M.II, I, pp.391-2). Not only would a single executive be restricted in its knowledge and cut off from collective discussion, but, more importantly, there would be a concentration of power in the hands of one individual who would invariably be the head of a party, and access to whom would be confined to party members. However, although Paine shared with the classical thinkers a fear of the threat posed to a republic by a demagogue backed by faction, he failed to consider whether or not a plural executive might in practice obscure responsibility which was another concern of his, because of his overriding belief that "it is necessary to the manly mind of a republic that it loses the debasing idea of obeying an individual" (L.W, II, p.692).

Paine described the legislative power as the delegated power of enacting laws that were " 'consistent with the foundation and principles of the constitution' " (A.F.Q, II, p.523). In order to prevent a potentially tyrannical majority from being permanently installed in office, he suggested annual elections (C.R, II, p.998) and a staggered renewal of representatives (R.M.I, I, p.390; 18th.F, II, p.595; C.R.II, p.1006),

besides a legislature large enough to allow all interests to be represented. Possibly influenced by Franklin, he was unusual among writers in colonial and independent America in his rejection of legislative bicameralism. Outside Pennsylvania, where unicameralism was a tradition balanced by an executive veto power over legislation (which was continued in the radicals' state constitution of 1776), bicameralism was generally accepted without question. But his initial advocacy of unicameralism, which followed directly from the idea of equal rights, was revised after his experience of the precipitate and unconstitutional legislative acts of the Pennsylvania radicals after 1776 (11). Paine continued to oppose bicameralism, not only because it meant that one assembly decided on an issue before having heard the deliberations of another assembly, but also because of the opportunity it afforded for a minority of all representative to obstruct the wishes of the majority (C.H.II, p.1002). Thus he mitigated his early unicameralism, in the light of experience, only to the extent of suggesting that the legislature should divide into two parts for the purpose of enabling reasoned debate, conviction and persuasion to prevail over passions (A.F.W, II, p.526). The parts would subsequently reunite to take a collective decision. It is significant to note that, because he saw unicameralism as conducive to the invasion of citizens' rights, Paine modified his initial preference before he left America in 1787, that is, before the possibility of the tyranny of a single assembly was made apparent by the Jacobins in France, and while he was still in personal contact with Franklin, the most distinguished adherent of unicameralism. It was Aldridge who pointed out that, although "Paine had nothing to do with the unicameralism of the Pennsylvania constitution,....many observers, including John Adams and Cheetham, maintained that Paine had been a prime mover. Because the reign of tyranny set in soon after France had adopted a single chamber, Adams and Cheetham attributed all evils of the

Terror directly to Paine's influence" (73, p.150; 75, p.318 & 76, p.118). Paine criticised the French unicameralist proposals in early 1791 (A.P.Q, II, pp.525-8), he discussed his own modified unicameralism in Rights of Man II (I, pp.389-90), and after (C.G.C, II, pp.1001-2), and by 1795 he concluded that unicameralism was the worst form of republican government (D.F.P , II, p.585; 10, pp.115-6).

In his discussion of party politics in Pennsylvania and the crisis of the Bank of North America in 1785-6, Paine made a distinction between laws which by definition applied to all individuals in the country, and all other acts of the legislature, such as agency transactions, or matters of negotiation, which dealt with, or granted privileges to, a particular section of society (D.G, II, pp.376-7). This distinction had been made by James Wilson, in Considerations on the Bank of North America, 1785, who in turn followed Rousseau's Social Contract. Legislation, according to Paine, might be altered by successive assemblies for, since the legislature was acting upon society as the agent of society, only one party was involved - the whole of society, governing itself. All other public acts, however, which concerned two parties - society and a group within society, should be made legally and constitutionally binding commitments for a generation (which Paine stated was thirty years) regardless of the changing composition of successive assemblies in that time (ibid, p.359). Paine wished to prevent majority might becoming right (ibid, p.379) -

If corporate bodies are, after their incorporation, to be annually dependent on an assembly for the continuance of their charter, the citizens which compose these corporations are not free. The government holds an authority and influence over them, in a manner different from what it does over other citizens, and by this means destroys that equality of freedom, which is the bulwark of a republic and the constitution (ibid, p.399).

Although he maintained this distinction between laws and other acts, he suggested in 1805 an alternative means for the practical recognition of it. For in order to be consistent with his belief that a perpetual

constitution was unjust, he had to conclude that the power of one assembly to make an agreement that bound future assemblies was also contrary to the principle of equal rights and to the purpose of annual elections. (C.G.C, II, pp.989-902). He realised that the notion of binding contracts, expressed in the Bank crisis, presupposed an idea of a new generation as an entirely new composition of society, whereas a new, and differently composed, majority view about an issue might in fact appear at any time, even apart from the continuous change in the composition of society as a whole. Fluctuations of majority opinion should, by right, be reflected in all acts of government, but since minorities still required security, he suggested that acts other than laws should be proposed by one legislature, published, and then only decided upon by a subsequent assembly, after an interval of at least one general election (*ibid*, c.f, II, pp.1442-6).

Paine's support of federalism and executive decentralisation was anathema to the Jacobins, who not only wished to concentrate power in the central government which represented the republic that was one and indivisible, but also saw federalism as a policy of *laissez-faire* and minimal government activities, (230, p.334, 212, p.106). Paine, on the basis of his idea of the delegation upwards only of those powers which could not be exercised at a lower level, suggested decentralisation for France, for reasons of self-government (L.D.II, II, p.1336), and ease and cost-efficiency of administration (A.F.G, II, p.528).

Following English tradition, and in line with Montesquieu in his Esprit des Lois, 1748, Paine considered that the judiciary was an important part of the executive. His concern about magistrates, which led him to state that the procedures by which they obtained office should be independent of personal or governmental influences (S.A.I, III, II, pp.293-6), rested on his belief that all civil cases should be resolved

by arbitration. Arbitration should proceed, not by precedent, but by the application of natural justice to the merits of each case, the process being morally educative for the participants, and preventive of law-suits which were expensive (C.G.C, II pp.996-7, c.f, 69, p.212). Cases of criminal law were reserved for courts of law. But perhaps more significant than Paine's faith in arbitration, was his acceptance as early as 1785, before it was urged by Hamilton in Federalist Paper LVIII, and before it became generally accepted in America following the case of Marbury v Madison in 1803, of the idea of judicial explanation of the constitution. In line with his own acceptance of the Council of Censors provided by the Pennsylvania Constitution of 1776 for the periodic review of government conduct and for the activation of constitutional amendment procedures, Paine argued during the Bank crisis that disputes between the state and individuals, such as about the status and legitimacy of public acts, should be decided by a court of justice (D.G, II, p.379 & pp.403-4). Because he always believed that a state or assembly should not be judge in its own cause (D.G.II, pp.380-2) he was consistent in saying: "That the explanation of national treaties belongs to Congress is strictly constitutional, but not the explanation of the constitution itself, any more than the explanation of law in the case of individual citizens. These are altogether judiciary questions" (II, p.1351). Judicial review was an original contribution to political thought and practice by Americans, but one which followed logically from their concern for fundamental law and constitutionalism (146, p.73). It was anathema to the French revolutionary doctrine of national sovereignty, and although Paine took it for granted without discussion, it nonetheless constituted a significant restraint upon the exercise of power by legislatures. Judicial review was designed to cater for the possibility of an unconstitutional act of the legislature "in the heat and indiscretion of party, and meditating on power rather than on the principle by which

all power in republican government is governed, that of equal justice" (D.G, II, p.380).

Paine, however, did not consider whether the judiciary would in effect be deciding the meaning of a constitution, because he pictured judicial review as involving what he believed the rulings of ordinary courts should involve - simple decisions based on natural laws, with the court subordinate to those laws and not, in fact, elaborating them during the process of interpretation. Thus he could allow the judiciary to contravert an elected legislature because he believed that, in such cases, the legislature was controlled by faction and was obviously overturning the constitution. But, just as he held a belief in the necessity of government along with a distrust of governors, so he also combined constitutionalism, and thus acceptance of the need for interpreters of constitutions, with his life-long hostility to lawyers whom he saw, in contrast to magistrates, as practitioners of unprincipled casuistry and the subtle confusion of what should be simple justice (R.M.I, I, p.300; S.A.L, I, II, p.283; C.R, II, p.996). Nevertheless, whereas it was not until towards 1820 and the growth of the power of the Supreme Court that President Jefferson became concerned about judicial accountability, Paine was always concerned that the appointed judicial body might evade responsibility. In 1778 he said that the judiciary should be accountable, and in 1807 he suggested that the constitution should be amended because, while it provided that the members of the Supreme Court should continue in office during good behaviour, it had not authorised any body to be the judge of this vague criterion (S.A.L, III, II, p.295; C.R, II, p.1004-5; 73, pp.288-90). The constitution, Paine believed, should provide for the removal of any judge for reasonable causes other than those which were sufficient to warrant impeachment, by Presidential action on an address of a majority of both Houses of Congress.

Although he distinguished between what he called "legislative law" enacted by the legislature, and "lawyers law" - the opinions of the courts

without providing criteria for assessing whether or not judicial rulings might in effect be constitutional construction (C.R, II, p.1004), Paine still reserved the right of constitutional amendment for the people and their elected conventions (ibid). The Federalist Papers suggested that conventions, as a means of checking legislative tyranny, would be so frequent as to deprive the law of the respect which was necessary in a world where reliance could not be placed upon the emergence of "a nation of philosophers" for whom "reverence for the laws would be sufficiently inculcated by the voice of an enlightened reasor" (41, p.315). A further suggestion, less conditioned by a Tory philosophy of man, was that conventions would not constitute an independent check on legislatures because, elected by the same majority of the people, they would always judge, in any controversy, in favour of that legislature (41, pp.318-9, p.317). The security provided by Paine against this happening was, in the first instance, the unalterable equal natural right to freedom of thought and expression (6, p.310), and, in the last instance, the absence of any legal or moral obligation on the part of individuals to accept a constitution which contravened the Declaration of Rights even though the convention had been popularly elected. In reply to Persinger's question whether, for Paine, majority opinion could determine a constitution, it can be said that Paine held that a nation could constitute whatever form of government it desired, only as against the determination of government by hereditary or imperial imposition (137, p.71). Majority rule only became a governing principle upon a compact of equal justice - the mutual acceptance of the first principles of a republic. Thus a popular convention could not, for instance, decide the extent of the suffrage, for "Whether the rights of men shall be equal is not a matter of opinion but of right, and consequently of principle; for men do not hold their rights as grants from each other, but each one in right of himself" (D.F.P, II, p.584, c.f. 101, p.113). Paine's idea of obligation, here, could be made effective in his own time by social mobility

which, above all factors, revealed that the real strength of any governing body rested on popular support; the just course for constitutional conventions was thus also the prudential course (S.I.I. I, II, p.282). Paine lived, in Chinard's words, at a time when

the conflict seen by so many philosophers between man and society disappears entirely. The individual cannot stand against society when he is free to break the social bond at any time - nor can society oppress the individual without endangering its very existence. Such a theory was more than a 'philosophical construction'. It was largely based upon facts and observation: it expressed the current political philosophy of the colonies. It was eminently the juristic explanation of the pioneer spirit (147, p.107).

It has been maintained, by Arthur Seldon among others, that Paine did not foresee the problem of electoral despotism because if representative government was "to remain at its best", it needed "an informed, liberal, tolerant electorate" (105, p.ix). In fact Paine's most fundamental security against majority tyranny, in the long-run, was that security which all societies must ultimately rely on if they seek to satisfy a moral principle of equal rights through the practical principle of majority rule - a faith in the character of the people. Paine had this faith, in the form of his belief that in general, people could perceive, and would pursue, the course that was suggested by their real interest and justice alike (95, p.cvi). It was only because he had what Elder described as a "philosophy of the common man" (97, p.vii) that Paine was able to state that "It must be from the justness of their principles and the interest which a nation feels therein, that the laws derive support" (R.M.II, I, p.388), and that "when public matters are open to debate, and public judgment free, it will not decide wrong unless it decides too hastily" (R.M.II, I, p.381). Public opinion, seen by Elder as the core of Paine's philosophy (97, p.vii), was not "a total of isolated views, but the resultant view of man living

an associational life, and affected by contact with one another" (ibid, p.112), so that "if people are given the facts on social problems, the majority opinion will be a reasonable and practical collective judgment" (ibid, p.vii). Public opinion was thus founded in the sociable nature of man that was indicated in Paine's reference to Solon in The Age of Reason II:

The answer of Solon on the question, which is the most perfect popular government? has never been exceeded by any man since his time, as containing a maxim of political morality (my emphasis) 'That' says he, 'where the least injury done to the meanest individual, is considered as an insult on the whole constitution' (I, p.598).

This collective concern for justice and equal rights was nothing more than the continuing expression of the compact of equal justice upon which a republic was founded. Consequently, with respect to constitutional faults and defects, "it ought to be every man's wish to have them pointed out, and every man's duty to have them amended" (12). Paine's dissolution here, of a dichotomy between individualistic and organic views of society, and of any inherent conflict between majority rule and minority rights, was the product of his complex view of human nature. This view, derived partly from religious assumptions which suggested potentialities in human beings for development and partly from observations which indicated that liberal conditions were necessary for such development, was responsible for the political prescriptions of his republic.

Paine's thoughts on well-constituted government, the written constitution, constitutional conventions, and federalism can thus be seen as elaborations on traditional social compact theory. He provided several arguments against hereditary monarchy, the most important of which, to him, was the argument from natural rights. The problems of electoral tyranny and popular sovereignty were countered in his model of a republic that was based on a compact of equal justice and in which sovereignty rested on natural justice. Paine demanded a responsive, but

not highly participative, political decision-making structure, and his advocacy of simple representative institutions rested on a faith in the sociability of human character sustained by society, which precluded a resort to the governmental constructions of the Federalist writers. Matters of government organisation should be adapted, in conformity with the Declaration of Rights, to the needs, interests and dispositions of each society.

We must now turn to consider Paine's view on measures that might be required if republican systems were to be established in an age of hereditary monarchies.

NOTES AND REFERENCES TO CHAPTER THREE

1. 166, p.420, c.f. 216, p.223

There did exist in the colonies from the start a concept and a practice which assumed that there was a more basic foundation of society and government than that offered by grants from a higher authority. This was the essentially democratic idea that people could associate voluntarily together in the formation of government by means of a compact. This idea was one of the great contributions of English religious dissenters to America....the transfer from the religious sphere was easy (17, p.184).

The concern with a specific written document as the basis of government, whether it was a charter from the Crown, or compact, or the commission of a royal governor, firmly implanted in American colonial thought the idea of a single written constitution as the basis of government (ibid, pp.184-5).

According to William Carpenter :

The framers of the United States Constitution vastly improved upon the theory of Locke by regarding their instrument as a fundamental law in subordination to which the law-making body must act. Thus they were able to mark out as constitutional limitations the natural rights which Locke had been unable to define. Furthermore, through the power of judicial control they set up an intermediate defence between legislature and the reserve power of revolution in the hands of the people (146, pp.166-7).

2. 172, p.14. See also pp.147-8 and pp.266-7 below.
3. See, for instance, A.D.II, pp.534-7 and below pp.247-8.
4. 134, p.231, c.f, ibid, p.232

The representative system of government did not so much directly regenerate man as encourage and allow the full exercise of men's natural faculties.

There is existing in man, a mass of sense lying in a dormant state, and which, unless something excites it to action, will descend with him, in that condition, to the grave. As it is to the advantage of society that the whole of its faculties should be employed, the construction of government ought always to be such as to bring forward, by a quiet and regular operation, all that extent of capacity which never fails to appear in revolutions.

This cannot take place in the insipid state of hereditary government, not only because it prevents, but because it operates to benumb. When the mind of a nation is bowed down by any political superstition in its government, such as hereditary succession is, it loses a considerable portion of its powers on all other subjects and objects.

Hereditary succession requires the same obedience to ignorance as to wisdom; and when once the mind can bring itself to pay thus indiscriminate reverence, it descends below the stature of mental manhood. (R.M.II, I, p.368).

5. L.R.I, IV, II, p.433.

The impression which Paine had of politics in Britain was one of unprincipled aristocrats manoeuvring for personal power and financial gain (C.P.III, I, p.93, II, pp.1189-90). He believed that he, in contrast, served the common good (L.R.I, VI, II, p.362), and he did not participate in elections, possibly because he trusted in the majority view, but perhaps also because he was unwilling to become involved in party politics - "I now leave the embarrassed field of politics, for which I have no liking, and come to the quiet scene of civil life" (II, p.1422). The socially destabilising effect of party politics was demonstrated to him in Pennsylvania (II, pp.1246-7) and, according to Kenyon, he was not alone in his fear and distrust of party" (127, p.1096). Because of Paine's contact with the different circles in Pennsylvania Clark asserted that his opinions varied according to where he sought favour (96, p.xiii, c.f, ibid, pp.xii-xiv), but for Paine to say "those that are 'in' or those that are 'out' are alike to me" (II, p.270) was, for him a point of principle and a source of pride. Until 1793 he likewise associated with a wide political spectrum in France although eventually, as in America, he displeased all sides.

6. 103, pp.23-4, p.131 & pp.140-1; 134, p.231. See also pp. 92-3 above.

"It was the internationalist Thomas Paine who deserves the credit for fostering the democratic societies" (157, p.104). "In principle the societies expressed a concern for an international democracy which would extend their hierarchy from town meeting to a world democratic society. Their lodestar, Thomas Paine,...." (ibid, p.108).

The Society for Political Inquiries of which Paine was a member, was

not, as was suggested by Foner, a forerunner of vigilante associations (1, vol.II, p.41), but, like the American Philosophical Society it was an academic body with a practical purpose and a socialising effect.

Where the minds of people are discomposed, it would be exceeding good policy to draw their attention to objects of public and agreeable utility, to introduce as many subjects of easy and popular conversation as possible. And therefore a Philosophic Society as one of the means to this end would be a useful institution. The more the mind of the country can be taken off from party the quieter the seat of government will be. (II, pp.1246-7, c.f, 69, pp.389-90).

7. See chapter two, section one and p. 87 , above.

Paine upheld that

large body of people who attend quietly to their farms, or follow their several occupations....who think for themselves,....and who, acting on their own judgment never come forward in an election but on some important occasion....this independent generation of men (L.A.C, I, II, p.911, c.f. P.P, II, p.824).

Paine was probably impressed by the German settlers of Pennsylvania who, while they opposed colonial rule, were also sufficiently culturally and socially isolated for them to take only a small part in the political and social life of the colonies, although "their superior skill, thrift and industry made them important in the economy while their multiform Protestantism was a spur to religious liberty" (166, p.152).

8. Letter from Jefferson to Philip Mazzei, April 24th 1796, published in Moniteur, January 25th 1797 (43, vol.vii, p.75).

Paine opposed a single executive (L.A.C.II, II, p.915), the power of executive veto over legislation, the life appointment of the judiciary, the bicameralism of Congress and the long duration of each Senate (L.A.C, II, p.692, L.A.C.II, pp.915-7). He would have been alarmed by the suppression of the Whiskey Insurrection in western Pennsylvania in 1794, the subsequent attacks on the Democratic

societies by President Washington, the identification of the Federalists with the British aristocracy, and their condemnation of French reformist ideas and activities, the Jay Treaty of 1794 which seemed to favour Anglo-American relations at the expense of Franco-American Treaties, and the Alien and Sedition Laws of 1798 which placed some restrictions on freedom of speech. From familiarity with the second President, John Adams, and his writings, Paine was aware that he favoured hereditary monarchy and urged higher taxation to support a standing army (L.A.C.II, II, p.917, L.A.C.VI, II, p.938). Hamilton, in 1787, proposed a Senate for life, and an uncontrolled judiciary, and he also condemned republicanism as corrupt and inefficient in contrast with monarchy which supported the national interest. Consequently one historian considered that, before 1800, "the absurdity of creating a monarch in the United States had not yet been entirely established", although it was desired not for itself but because of fears for the security of property against the power of the people (177, p.126).

9. Although as Norman Sykes believed, "Paine was no apostle of abstract principles unapplied to the practical details of constitution-making" (100, p.117), his preference for discussing matters of principle in preference to details was remarked upon by Madame Roland (62, pp.269-70) and by Chastellux who testified to the "vivacity of his imagination and the independence of his character" which "have rendered him better suited for reasoning on affairs than for conducting them" (33, p.176).
10. D.F.P, II, p.566; A.L.E, II, p.546; C.G.C, II, pp.989-90; C., II, pp.993-5; II, p.1444,

Thus Paine's proposal was closer to Montesquieu's misunderstanding of the British constitution, as functionally separated powers, than it was to the actual constitutions of Britain or America, in which each branch of government effectively shared in each function.

11. Paine remarked in 1786 that a single assembly, governed by party, "is capable of being made a complete aristocracy for the time it exists"; its rule was "as dangerous to the principles of liberty as that of a despotic monarchy" (5, p.835).

My idea of a single legislature was always founded on a hope, that whatever personal parties there might be in the state, they would all unite and agree in the general principles of good government - that these party differences would be dropped at the threshold of the state house, and that the public good, or the good of the whole, would be the governing principle of the legislature within it (D.G, II, p.409).

Moreover, section fifteen of the Pennsylvania Constitution of 1776 which Paine admired (C.R, II, p.1006), decreeing that laws be published for consideration before enactment, and that bills not be passed until a subsequent session of the assembly, which Paine saw as a part of the unicameral alternative to bicameralism, was not being executed because of inadequate means of public communication and of determining public opinion, and because the period for collecting opinions had not been stipulated. (D.G, II, pp.389-90, C.R, II, p.1001).

12. C.C.R, II, p.276

Paine, again, diverged from Jacobin thought, in his retention as the moving spirit of his republic an attitude which could be encouraged, but to legislate for which would be both totalitarian and fruitless. According to the first draft of the Declaration of Rights, produced in 1793 by the committee of which Paine was a member, which did not go beyond the Declaration of Rights of Man and Citizen, of 1789, and Title one of the Constitution of 1791:

"There is oppression when a law violates the natural, civil or political rights which it ought to guarantee. There is oppression when the law is violated by public functionaries in its application to individual acts. There is oppression when arbitrary acts, opposed to the expression, of the law, violate the rights of citizens..." (II, p.560).

Article XXXIV of the Declaration of Rights of Man and Citizen which

was officially promulgated on July 24th 1793, which followed Articles XXXVII and XXXVIII of Robespierre's Proposed Declaration of Rights of early 1793 (21, p.433), stated :

"There is oppression against the sovereign body when a single one of its members is oppressed. There is oppression against every member when the sovereign body is oppressed" (ibid, p.458).

As David Ritchie pointed out, the principle here , and the relations of society to the individual that it implied, were inconsistent with an individualistic view of society and a conception of liberty in terms of individual rights, according to which individual people considered that they themselves were oppressed only if their own personal rights were invaded (243, p.238).

CHAPTER FOUR *

REVOLUTION

"Quaker individualism and rationalist abstraction combined to produce in him the pure type of cosmopolitan revolutionary" (135, p.169). In order to assess the truth of this statement, we need to look into what Paine understood by revolution and how he justified it (section 1), whether or not he saw any preconditions of republican reform (section 2), the effect on his political ideas and prescriptions of different revolutionary or potentially revolutionary situations (section 3), and applications of his philosophy of revolution (section 4).

1. Grounds for Revolution

Paine's support for, and his activities in, movements for political reform have created among scholars the impression that he emphasised both the benefits and the ease of institutional change. Although Paine has been shown not to have had a simple environmentalist view of human nature, discussion of his ideas might be extended to specific revolutionary contexts where the course of historical events appears to have upheld the conservatism of Burke (1). Burke refused to think in terms of, let alone act in accordance with, the abstract notions of liberty and equality which characterised the thought of the French revolutionaries and their belief in rational man. Instead he emphasised the complex and passionate nature of man, and the accumulated social customs, prejudices, traditions and institutions which he believed were essential to the order and stability of any society, and which were incompatible with an imposed and rationalistically devised political system. Thus Burke's Reflections on the Revolution in France, 1790, to which Rights of Man I was a reply, expressed the fear that revolution would replace the freedom that depended on order and therefore, on a

* Notes and references: pp.203-210.

respect for traditional values and institutions, by the dominance of men's passions in the form either of anarchy or of totalitarianism; "Rage and phrensy will pull down more in half an hour, than prudence, deliberation and foresight can build up in a hundred years" (27, p.164). But, while Burke has been seen to have "deplored the French revolution as a catastrophe for France, as a reversal of traditional European values, as a crisis, in fact, of European civilisation" (98, p.99), so Paine, according to D.W.Brogan, "failed to see that the American Revolution was peculiarly American; he failed to see that the French Revolution was peculiarly French" (110, p.66). Paine was perhaps naive and dangerous in applying to France his principles of the rights of man and of republicanism; he "did not look deep enough into history" (105, p.vii), "he sometimes failed fully to foresee the power which tradition has over the minds of men, a failure which he shared with natural rights theorists in general. He too often felt that if only men could be brought to a knowledge of right political principles, they would at once throw off oppressive forms of government" (93, p.xlii).

However, the view of Henry Brailsford: "Paine was the pamphleteer of the human camp....Godwin would have sent men to school to liberty; Paine called them to her unfurled standard", should be seen in the light of the fact that, while Paine called people to the standard of liberty, he did not recommend simply revolution or the destruction of existing institutions (191, pp.64-5, c.f.103, p.146 & 134, p.227). He did not exhort immediate action, but wrote to stimulate thought as the prerequisite of proper action. After all, popular opinion was seen by Paine as the foundation of any political system; as, for instance, in the case of the credit of paper money, he said that if

a whole country is disposed to hold 'aristocratic titles' in contempt, all their value is gone, and none will own them. It is common opinion only that makes them anything or nothing... There is no occasion to take titles away, for they take themselves away when society concurs to ridicule them (R.E.I, I, p.287).

Thus Paine endorsed Lafayette's maxim that for a nation to be free, "it is sufficient that she wills it" (*ibid*, p.255, c.f. R.M.II, I, p.398), and even Burke admitted in 1777, that in America "Common Sense prepared the minds of the people for independence" (28, p.207). That Paine, no less than Godwin, appealed to an understanding and an appreciation of the principles of liberty, and of both rights and duties, is evident in the emphasis he put on inquiry and discussion, which were "in all internal reforms....the proper point to begin at. Put a country right, and it will soon put government right" (L.A.A, II, p.494). The desire for political reform "must originate with, and proceed from the mass of the people, and when the impression becomes universal, and not before" (P.R, II, p.634) was the right moment for change; so Paine could express the wish, for instance, that "a few well-instructed negroes could be sent among their brethren in bondage, for until they are enabled to take their own part, nothing will be done" (13, p.22). Principle was the object of, and the means of controlling change. Revolution should be instigated not by a negative feeling of discontent, but by an appreciation and conviction of the justness of the cause. Paine was careful to distinguish between revolutionary sentiment and mob passion (R.M.I, I, p.266) and said:

It is at all times necessary, and more particularly so during the progress of a revolution, and until right ideas confirm themselves by habit, that we frequently refresh our patriotism by reference to first principles. It is by tracing things to their origin that we learn to understand them: and it is by keeping that line and that origin always in view that we never forget them (D.F.P, II, p.582).

Revolution, then, meant for Paine a contest, not over personalities, but over principles which had the scientific character of universality only because they were just. However, he accepted a limited amount of coercion in the institution of a republic. He has been portrayed above (chapter 3) as an advocate of persuasion in contrast to the Federalists

and their advocacy of mechanistic institutional measures for the preservation of a republic; but over the establishment of a republic he did not agree with Godwin for whom "conviction of the understanding is a means fully adequate to the demolishing political abuse" (45, p.275), and for whom such conviction depended on public tranquility (ibid., pp.268-9). whereas revolution was "engendered by an indignation against tyranny, yet in itself evermore pregnant with tyranny" (ibid., p.267, c.f. p.302). Paine feared more the conservatism that "flourishes when men do not think about their beliefs and loyalties, when they do not make unfavourable comparisons and discover faults. These activities are the symptoms of restlessness and energy of mind, and create the atmosphere in which revolutions are born" (204, p.68). Because of the influences of government on society, and because of vested interests and restrictions on freedom of expression and association, a people might be resigned to a despotic government and to the beliefs which it perpetuated. Thus Paine supported revolution not because he did not appreciate the value of political education, and not because he thought that his first principles of government were scientifically determined to succeed, but because he saw no practicable alternative. Only in a republic could there emerge a respect for freedom of inquiry and discussion and a self-appreciation by citizens which could encourage the rational and moral conduct which demonstrated that the people were in fact fitted for republican government.

Paine believed that opportune moments for great political change might be few and far between, and so should be grasped with both hands. But although the "time for bringing forward any new system is not always happening, it is necessary to watch its approach and lay hold of it before it passes away"; reforms should be peaceful, wherever possible, and it was with the violence of insurrections that he contrasted the benefits of political development by constitutional conventions in republics (2).

The "greatest forces that can be brought into the field of revolutions, are reason and common interest"(R.M.II, I, p.446), and, similar to Paine's fear that Biblical stories endangered a belief in God - the reader "confounds fact with fable; and as he cannot believe all, he feels a disposition to reject all" (A.R.I, I, p.600) - was his opinion that

it is better to obey a bad law, making use at the same time of every argument to show its errors and procure its repeal, than forcibly to violate it; because the precedent of breaking a bad law might weaken the force, and lead to a discretionary violation of those which are good. The case is the same with respect to principles, and forms of government, or to what are called constitutions, and the parts of which they are composed. (R.M.II, I, p.351).

As early as 1789 he suggested that a universal means of peacefully effecting the fall of intransigent governments might be a refusal to pay taxes and a demand that all payments be made in specie only (3, vol.xiv, p.586, c.f. 11, p.51; R.M.I, I, pp.301-5 & pp.335-6; D.F, II, pp.652-74). But his readiness to acquiesce in some violence did not contravene his moral beliefs, since he saw that not only might the precepts of justice themselves prescribe opposing courses of action, but they might also have to be superseded in the interests of a greater justice. Inequality of rights was the ultimate cause of all revolutionary disturbances (S.A.L.I, II, p.286, C.R, II, p.1006), and here the supreme law of necessity afforded moral justification for the use of violence, not only in self-defence but also, as a last resort, in the deposition of privileged vested interests for the establishment of a republic which was not just a rational or utilitarian device, but was the stable rule of political justice from which could flow a moral and social renaissance. Paine "did not like revolution for its own sake. His devotion was to his first principles" (98, p.41), and he did not see revolution as coterminous with mere institutional change for, as he said, the "moral principle of revolution is to instruct, not to destroy" (D.F.F. II, p.587). Consequently, according to Hansen, (150, p.22), the key to Paine's life's work

of social reconstruction lay in his appeal, in Address to the People of France, 1792, against the proposed execution of Louis XVI: "let us punish by instructing rather than by revenge" (II, p.540). Thus, although it might immediately be the case that, as Kingsley Martin said, the "revolution at which Paine aimed was always primarily a mental revolution", and not simply an institutional one (101, p.14), the ultimate aim of revolution for him was, as is shown below in chapter five, the moral and social changes that should follow political reform. Because of this, although Paine said that it "is not worth making changes or revolutions unless it be for some great national benefit" (R.M.II, I, p.353), the evils involved in revolutions might be outweighed by the resultant greater good, for, after all, the "creation we enjoy arose out of chaos" (P.R, II, p.634). Contrary, then, to popular belief, (131, p.402), Paine was not a thoughtless agitator or a violent revolutionary. The controlled effort which brought success demanded, first, a confidence in the possibility of success; and Paine saw that, apart from the justness of the cause, other considerations, such as popular support, the injustice and inhumanity that might be caused, and general practical concerns, should be taken into account before political change should be enforced (3).

According to Brailsford, Paine "seemed the natural link between three revolutions, the one which had succeeded in the New World, the other which was transforming France, and the third which had yet to come in England" (191, p.63). Substance can be added to the general account of Paine's thought on revolution given so far, by an examination of the impact made upon his writings by contact with differing revolutionary, or potentially revolutionary, societies, and by an assessment of whether or not his ideas and prescriptions varied with the actual circumstances with which he was confronted.

2. Paine and an Era of Change

There has been a continuing debate among historians about the nature of the struggle that separated the American colonies from Britain and established the American republic. There will be no discussion here of the arguments about whether the events and changes involved were one, or two, revolutions, or merely an affirmation of values and beliefs that were traditional to the colonies; discussion of these questions can be found elsewhere (4). But what is relevant for assessing Paine's appreciation of the preconditions of revolution, is to establish whether or not the colonies in 1776 might have been peculiarly suitable for the events and changes of the subsequent years, especially when America is compared with France in 1789.

In a speech 'On Conciliation with the Colonies', in 1775, Burke noted "six capital sources" with which the colonists were endowed which accounted for their "love of freedom" (28, p.96). The colonies were characterised by religious diversity and mutual tolerance of worship, along with a Protestant emphasis on individual, rather than on ecclesiastical, interpretation of the Bible, and on self-discipline and self-reliance. The Church was seen as a voluntary association, and the Bible as providing a written law superior to the positive laws of government. These ideas about compact and higher written law, and the importance of the conscience of the individual, were transferred from the religious to moral and political spheres, and, as was welcomed by Paine in 1775, some of the clergy were in fact spokesmen for the independence movement (II, p.54).

By 1750 the colonists had experienced considerable political education in the operation of representative institutions. The lower assemblies of the legislatures were elected on the basis of suffrages less restricted than obtained in Europe, and these assemblies exercised real power because of their control over finance, which, in turn was a lever for controlling administration and appointment to offices. The colonists were familiar

with the practical problems of government, with compromise, and with balancing the elected assemblies against the governors and their appointed upper assemblies. "They not only had definite ideas about the ends of government; but they also knew from experience something about the techniques of politics and politicians" (172, p.57). The colonies had been founded in the seventeenth-century, a period of debate in England over the relative powers of the crown and Parliament, and colonists were familiar with ideas about the supremacy of the legislature over the executive (141, p.20). Free from British interference for the first half-century of their development, they saw themselves as inheriting the rights of Englishmen, and as accepting the crown by mutual compact in charters and commissions; and their lower assemblies had become by 1760 the dominant organs in colonial government, a development that was facilitated by their distance from Britain. The view of John Adams: "Revolution was effected before the war commenced. The Revolution was in the minds and hearts of the people. This radical change in the principles, opinions, sentiments and affections of the people, was the real American revolution" (166, p.4), has been echoed by subsequent historians such as Benjamin Wright; "our birth as a nation took place when we were already politically mature" (172, p.58) and Clinton Rossiter; "The rise of liberty in colonial America owed as much to the unfolding of spiritual and intellectual forces as to the interaction of transplanted institutions and native environment" (166, p.117). The colonists claimed against the English Parliament the specific rights of Englishmen that were claimed by the English Whigs against the crown in the seventeenth century. They were not pursuing ideological innovations, but followed Locke in believing that tyranny should only be resisted as a last resort, and this belief was conveyed by the Declaration of Independence as a catalogue

of the long train of abuses which justified the cessation of colonial obligations to the crown. The construction of law-limited government based on the superior status of written constitutions, a governmental system of separated powers checking and balancing each other, peace, and economic development were seen to be the first tasks of independence (148 , p.213; 169, p.59).

Although Paine probably encouraged anti-monarchism among the colonists, he did not influence their desire to preserve the constitutional balance which had been upset by ministerial aggrandisement in England. Although he believed that the resilience of the colonists' spirit in the face of the hardships and uncertainties of the war was a proof of their understanding of, and attachment to, liberty, he did not appreciate the underlying historical factors. In Rights of Man II he congratulated Burke for saying that the colonists were, by their spirit of liberty, singularly well-prepared for self-government (I, p.366), but he disagreed with Burke's belief that they "are not only devoted to liberty, but to liberty according to English ideas and on English principles. Abstract liberty, like other mere abstractions, is not to be found" (28, p.91). Along with Burke, Paine saw that British innovations were responsible for the colonists' discontent, but he did not consider that most of the colonists were, or believed they were, only claiming and preserving the rights of Englishmen (F.L.I, II, p.65), for he believed that they understood the principle of equal rights and that there should be no power independent of the people (L.R.I, I, II, pp.336-7). They demonstrated to him, by their opposition to the Declaratory Act of 1776, that in America

the value and quality of liberty, the nature of government, and the dignity of man, were known and understood, and the attachment of the Americans to these principles produced the Revolution, as a natural and almost unavoidable consequence.... Nothing of personality was incorporated with their cause (L.R, II, p.219, c.f. 4, p.135).

For even though S.E. Morrison believed that, at the time, "the Declaratory Act was barely noticed in the colonies...(and)...the repeal of the Stamp Act seemed completely satisfactory" (20, p.xv), the Congressional 'Declaration of Causes of Taking up Arms', of July 6th 1775, which Paine published in the Pennsylvania Magazine, opened with a condemnation of the "enormous, so unlimited a power" claimed by Parliament under the Declaratory Act (ibid, p.141). The American war of Independence was thus, for Paine, distinguishable from all preceding revolutions by this understanding of liberty, and, according to the Society for Political Inquiries, the political independence that must follow could only be made effective by establishing also an independence of thought and opinion, of manners and laws (II, p.41).

An important foundation for the political traditions of one hundred and fifty years in the colonies was the condition of social values and temperament. For Burke, "manners are of more importance than laws, upon them in a great measure the laws depend" (20, vol.vi, pp.149-50), and Paine observed, for instance, in 1805 that "only the moderation and good sense of the country" prevented the social chaos that might have arisen out of political controversy in Pennsylvania (C.R.II, p.1006). Significant colonial characteristics included a popular sense of the responsibilities of citizenship, social opportunity and mobility, wide self-supporting property-ownership, relative social equality and higher wages than in Europe, a respect for science, its principles and procedures, and popular exhortation to such virtues as temperance, fortitude, honesty, simplicity, charity, frugality, patience and mercy. Alongside the existence of an intellectual class, educated in classical and contemporary literature from which were selected whatever ideas and arguments most suited the interests of the colonists, there was a common ethic of material progress, and an absence of the deep social and ideological divisions that could be found in Europe. There was a consensus,

not ideological but "rooted in the common life, habits, institutions and experience of generations" which gave a capacity for compromise on detailed issues (172, p.57). Furthermore, although the importance of what was called by F.J.Turner the 'frontier effect' should not be exaggerated, a contribution was made to social co-operation and practical experimentation by the influence of the frontier and, especially, by settled sub-frontier life upon the conditions and needs, the self-reliance and co-operation of Americans in the pursuit of the destiny of a continent.

Although this general characterisation of colonial society may be simplified and somewhat idealised, the immediate picture of the society that was presented to Paine in 1775 can be traced in closer detail. The focus of his activities was Philadelphia, which was not only traditionally a Quaker settlement, but also a rapidly growing and prosperous port, confident, and cosmopolitan in its openness to the trade and ideas of the world. Because of the size and character of the city, and because of his own early travelling, privately, with the army and with the Indian Commission in the interior, Paine was in a position to form impressions both of a cross-section of colonial society and of the physical nature of the land. Philadelphia, apart from being the seat of the Continental Congresses, and thus the centre of political debate, represented on a larger, if less intense, scale the qualities which Paine had already admired in Franklin, and a contrast to the account of England given in Schilling's Conservative England and the Case against Voltaire can be found in the Bridenbaughs' portrayal of Philadelphia in the eighteenth century which illuminates the setting in which Paine found himself when he first seriously and explicitly formulated his political and social ideas. Philadelphia added the secularism and humanism of the Enlightenment to the Puritan traditions of individualism and democracy (145, p.ix); it

was "certainly the most unfettered, middle-class community of the Western world" (5). Paine expressed in several early articles his welcome of the reigning spirit of science, exploration and economic development in America (II, pp.1021-4 & pp.1109-1112; I, p.172), and of the action of Philadelphians in going to the aid of Boston when the closure of that port by the British authorities, in 1774, threatened to bring distress - an act described in Bridenbaugh as one of generosity which had "ample precedent and tradition" (145, p.236). Paine saw the colonists as having left Europe specifically in search of liberty, with diverse national, religious and cultural backgrounds, and now forced into social co-operation by material necessity (C.S, I, pp.19-20).

"In such a situation man becomes what he ought. He sees his species, not with the inhuman idea of a natural enemy, but as kindred; and the example shows to the artificial world that man must go back to nature for information" (R.M.II, I, p.354). He also regarded the colonists as unusual in being able to "begin government at the right end" (C.S, I, p.37), to establish for themselves their first, national, political system on the basis of an original compact, without institutional legacies or prejudices from the past" (R.M.II, I, p.354). The natural environment of the colonists also peculiarly favoured their attainment of republican manners and ideas, for in America "Nature appears to him in magnitude. The mighty objects he beholds, act upon his mind by enlarging it" (R.M.II, I, p.354); it "is our happiness to have our minds enlarged by situation" (S.A.L.III, II, pp.295-6) for "great scenes inspire great ideas. The natural mightiness of America expands the mind, and it partakes of the greatness it contemplates" (II, p.1045). It was because of these factors, Paine believed, that America "was the only spot in the political world where the principles of universal reformation could begin" (R.M.II, I, p.354).

The thought and writings of Paine after 1775 were informed by the

empirical confirmation of his initial religious and moral pre-suppositions and, in particular, of his view of the potentially good aspects of human nature, which seemed to him to be provided by American society. Consequently in the succeeding years he failed to pay a rigorous attention to historical circumstances and to comparative consideration, and he did not question whether or not he could assume as universal the social and political factors which facilitated a successful republican revolution. Any naïveté in Paine's support for republican revolutions in Europe derived, therefore, not so much from a theoretical weakness, from an unwillingness to look beyond his moral and political principles as if they had some necessary self-fulfilling character, and more from universalising some of the preconditions of reform which he appreciated existed in the American colonies.

Paine arrived in France for the second time in 1787, but not until Burke's denunciation of the principles and ideals of the French reformers, in February 1790, did he express anything more than a modest, if sympathetic, interest in the events in France. He acquiesced in the relatively gradual nature of the reforms, and approved of what appeared to him to be the leading role played by Louis XVI. He expressed for a time the doctrine of 'le bon roi', which was employed by the third estate in their appeal to the king against the aristocracy, over the construction of the States-General, and also by some English Whigs. This doctrine, which had kinship with Bolingbroke's idea of the patriot king, held that the monarchy was based on popular support and should protect popular rights. Paine applied the appealing idea of an internal alliance between the king and the people to the Regency crisis in England, and he did not at first condemn the proposal for a constitutional monarchy in France which followed the assumption of power by the third estate, the fall of the Bastille, and the Declaration of Rights of Man and Citizen in 1789 (6). However, although in April 1790 he considered that Lord Stanhope

"appeared....to have too much enthusiasm" for the French reforms (9, p.26), he anticipated further changes, and said in May 1790: "I have not the least doubt of the final and complete success of the French revolution. Little ebblings and flowings, for and against, the natural companions of revolutions, sometimes appear, but the full current of it is, in my opinion, as fixed as the Gulf Stream" (II, p.1303). Similar to his view that Presidential power in the American constitution was fitted specifically for the national hero, Washington, and would, like the Articles of Confederation, require adjustment after experience and upon the development of popular opinion (L.A.C.II, II, p.915), was his belief, and that of his friend Joel Barlow, that France retained Louis XVI in 1790 because he was a respected King, but that after free debate, and through constitutional amendment, the monarchy would eventually be terminated, not by violence but by general agreement (R.M.II, I, p.451). Before July 1791, that is, in advance of the completion of the monarchical constitution in September, Paine wrote:

it would be well to begin the revision of the Constitution in seven years....for during that period sufficient time will be afforded to make the people acquainted with its faults and virtues; It is worthy of notice that a few of the most important articles of the Constitution are due to particular circumstances rather than to reflection (A.F.Q. II, p.533).

Paine was not being inconsistent in his fundamental beliefs, therefore, but practical and humane in his suggestions for gradual reform; and just as the battles of Lexington and Concord in America had made him regard colonial separation, in 1775, as suddenly imperative, so it was the royal flight to Varennes, on ^{June} ~~January~~ 20th 1791, that indicated to him that Louis had broken his compact with the people and that an opportunity was presented for republican reform.

In Britain, before 1790, Paine hoped that leading dissident Whigs would encourage a general pressure for political reform, and he said in April 1790, that his bridge-building project was the only thing that kept

him in Europe (9, p.26) . However, he was caused during 1790 to write Rights of Man I as an alternative to what he saw as Burke's distorted use of the information which he had sent to him about the events in France. Rights of Man I was "much less an actual reply to Burke's arguments as a counter-manifesto of pro-revolutionary and republican sentiments" (98, p.vii), its real purpose was "to enlighten the British public as Common Sense had enlightened the American public" (ibid, p.164). Paine said, speaking of his 'Reply to the Bishop of Llandaff'; "The Bishop's answer, like Mr.Burke's attack on the French Revolution, served me as a background to bring forward other subjects upon, with more advantage than if the background was not there" (II, p.1412). Rights of Man stimulated popular interest among British reformers who sought action on long-held and long-articulated grievances. Despite some disagreement among historians about the nature of the radical movement in Britain in the 1790s, a general analysis of the popular writings and organisations of that time indicates that Paine was exceptional in his republican ideas (7). The reason for this was that he was not bound by a specific historical context, but instead pursued the logical implications of abstract presuppositions concerning human nature and rights. The popular demands of the early 1790s in Britain were for the reform of specific abuses of the constitution; notably for a widening of the suffrage, the abolition of rotten boroughs, more frequent elections, and a reduction in executive corruption of the legislature through the control of places, pensions and sinecures. These reforms, which were aimed at restoring the balance of the constitution, had been demanded in varying degrees for several years before the 1790s, for instance by the Association Movements (1779-83), in a motion proposed in the House of Lords on February 8th 1780, calling for a committee to inquire into public expenditure, in the well-known letter of the Duke of Richmond, of August 15th 1783, and in the Parliamentary motions of Pitt in 1782, 1783 and 1785 (18, vol.xxiv, pp.1044-5, pp.1049-50).

Just as Paine's views should be distinguished from the beliefs embodied in the Democratic-Republican societies in America in the 1790s, so should his ideas be distinguished from those of the English reforming societies which expressed gratitude for, and distributed, his writings. For, although these reformers might now be of lower social origins than had formerly been the case, there was a continuing reference to the recovery of the rights of Englishmen, as typified by the belief in a Norman Yoke that had despoiled Anglo-Saxon liberties. Different people believed in varying degrees of resumption or retention of these liberties in British constitutional documents such as the Petition of Rights of 1628 and the Declaration of Rights of 1688, but Paine briefly endorsed the idea of a Norman Yoke in Rights of Man II only as a tactic in his appeal to the British public (I, pp.361-2). Furthermore, there was until 1791 a widespread sympathy in Britain, among Whig politicians as well as in other quarters, for the French, who were seen as instituting something on the lines of the real British constitution (204, pp.141-2), and it was the context of French developments after 1792, and not popular intentions at home, that caused the British authorities to become anxious about stability, and to suppress manifestations of public discontent; "even the celebrated French principles; which appeared as a technical term in the State trials of the nineties, were largely English ideas clothed in a Parisian model, and represented English grievances and ambitions" (201, p.34). Radical Dissenters such as Joseph Priestly and Richard Price, like the popular writers, used the language of natural rights but in fact claimed chiefly the rights of freedom of conscience and of the political 'carrière ouverte aux talents', and they requested an equal share in representation, not in government (203, pp.383-4; 98, pp.186-90, p.202, p.210, pp.213-5). The London Corresponding Society, for instance, wished to restore "to our no less boasted than impaired constitution, its pristine

vigour and purity....we claim no other merits than that of reconciling and verifying what has already been urged in our common cause by the Duke of Richmond, Mr.Pitt and their honest party, years back" (18, vol.xxiv, p.383), for "we certainly do find that our ancestors did establish wise and wholesome laws: but we as certainly find, that of the venerable constitution of our ancestors, hardly a vestige remains" (*ibid*, p.442). Kramnick even suggested that the majority of the populace continued to look to a patriot king to restore the British Constitution (199, p.170, c.f. 18, vol.xxiv, p.870).

Paine's idea of a constitution as a written document controlling government, prefaced by a Declaration of Rights, and emanating from a social compact, was alien to the British constitutional tradition. The Society for Constitutional Information used Paine's name and writings to arouse popular support for the more limited aims; Major Cartwright recalled an admission by Horne Tooke, Paine's closest associate in the society -

Men may get into the same stage-coach with an intention of travelling to a certain distance; one man chooses to get out at one stage, another at another....when I get to Hounslow (applying it to the House of Commons) there I get out (18, vol.xxv, p.330, c.f, *ibid*, pp .112-3 & p.334).

Part II of Rights of Man, which attacked the British constitution, was, unlike Part I, not approved by the society. Paine's idea of a national convention has, then, only a superficial similarity with the idea of, for instance, James Burgh for a Grand National Assembly, or with the Edinburgh conventions of 1792 and 1793, or with the self-styled British Convention of the Delegates of the People, in 1793, or with the ideas of the reforming leaders and associations who aimed at, and relied upon, reform by popular political education followed by the petitioning of Parliament (19, p.697; 200, p.135 & p.139). Paine agreed with their aim of stimulating popular reflection, and with their confidence in the written word, but the members of their conventions were not intended, or seen, as delegates of a sovereign people in their

constitution-making capacity (18, vol.xxv, p.588). The difference between Paine and the reformers was ~~was~~ not a practical one, about a willingness to exhort violence, the difference was one between, on the one hand, the reformers' attitude of considering only petitions to the legislature, or attempts to overawe it by the "slow, gradual and progressive effect of public opinion" (18, vol.xxv, p.278) and by "the formidable engine of public discountenance and censure" (ibid, p.227), and, on the other hand, Paine's assertion of the right of a people to constitute for itself whatever political system it desired. One of the cardinal points of Paine's political thought was the distinction, which should always be borne in mind, between the laws of the legislature and the constitution which was a law to the legislature and was decided by the people (12, p.99). Thus no people should have to petition its government to reform itself (L.A.A, II, pp.499-502), and it was Paine's call for a constitution-making convention in Letter Addressed to the Addressers, even though this only repeated a much earlier suggestion, that alienated from him some of his moderate sympathisers in Britain (c.f, C.P.VII, I, p.155).

It is easier for us to recognise the historical continuity of the agitation of the radicals in Britain in the 1790s from a position of hindsight than it was for Paine, who paid only intermittent visits to England in that period, and who was somewhat detached from, because averse to, public debate and party organisations. Nursey-Bray, for instance, concluded that "Paine's knowledge of British history was on the whole inadequate and his historical vision distorted....He did not see the struggle he was engaged in for liberty and equality in terms of a further phase in a continuing conflict, but as a wholly new event" (103, pp.46-7). However, British reformers welcomed the contemporary events in France, maintained contact with the French societies and official bodies, and adopted French phraseology and procedures in their own organisations which stressed popular

enlightenment. The wide distribution of Paine's writings would have appealed to his sense of pride; the Society for Constitutional Information of Sheffield said in 1792, for instance, that it aimed to extend knowledge "until the whole Nation be sufficiently enlightened, and united in the same Cause, which cannot fail of being the Case wherever the most excellent Works of Mr. Thomas Paine finds Residence" (19, pp. 697-8). These factors, along with Paine's belief in the good example set by France, and along with the fearful expectation of a popular radical awakening that was manifested in the British government's perhaps ill-considered defensive and repressive measures, would have suggested to him that a considerable change in beliefs and attitudes was occurring among the people. However, his relationships with the French reformers, who used the same philosophical language as himself and were inspired by a similar enthusiasm, were probably less remote than those which he derived from his peripheral contact with the moderate English reformers. He never expressed the same optimism about popular enlightenment and political reform in Britain that, until towards the end of 1792, he expressed over the revolution in France. The contrasts in Paine's career - uninfluential on detailed matters of government in America, too radical for Britain, and, then, imprisoned in France for being too moderate - suggest that a comparison of the general backgrounds in France and America is necessary before one can interpret the significance of the fact that he was in 1791 one of the very first people to call for republican reform in France (8).

The monarchical, aristocratic, and religious institutions of France were, until the 1790s, mutually supportive at the heights of the social and political hierarchies. The common people had negligible experience in operating institutions of self-government, and there was neither a traditional acceptance of such ideas as natural rights, social compact and constitutional law, nor a popular spirit of liberty or an active and widespread concern about excessive authority. Social norms and attitudes

were conditioned by the inflexible organisation of a feudal society; strong ties of affection for the old institutions prevented an abstract regard for any universal, moral, social or political equality. There was not the general agreement on the self-evidence of natural justice which restrained the bourgeois ethic in America; and France, with its large peasant class and its aristocracy, did not have the horizontal or vertical social mobility, the social opportunities or the prosperity, enterprise and confidence, which have been attributed to America. The Catholic Church in France dominated education, emphasised authority, and prevented liberality in matters of conscience and in the expression of opinion.

France could thus be said scarcely to have been as adequately prepared for republican reforms in 1789 as was America in 1776. The attainment of republicanism in America can be seen as the coming to fruition of seeds laid and tended well in advance. Paine's attack, and general hostilities and destructiveness in America, had been directed against an external power. American society, characterised by republican manners and agreement on basic moral and political principles, could endure change without sacrificing liberty or political stability, and subsequent conflict could be largely relegated to the judicial sphere. But in France a deeper and more widespread mental, social, economic and political revolution was required for republicanism to be successfully introduced and established. Fundamental conflicts over the need for, and the nature of, change were to be expected in 1789, and strong expedient central authority might be needed to effect reforms. Destruction of the old order would entail the removal of corporate bodies and institutions which had stood between the individual citizens and the State, leaving a vacuum that might be filled by dictatorial institutions as the only alternative to social disintegration (9).

It has been shown that Paine believed that certain conditions fitted

America for republican revolution, but his appreciation of the social and political context of revolution in France was hindered by his lack of personal acquaintance with that country and, while he was residing there intermittently between 1787 and 1793, by his inability to master the French language. Furthermore, while he was in England between spring 1788 and summer 1789, he received encouraging information about the events in France from Jefferson, such as in a letter of July 11th 1789:

You see that these (principles of government and its organisation) are the materials of a superb edifice, and the hands which have prepared them, are perfectly capable of putting them together, and of filling up the work of which these are only the outlines. While there are some men among them of very superior abilities, the mass possesses such a degree of good sense as enables them to decide well (3, vol.xv, p.269, c.f. ibid, vol.xiv, pp.671-2).

Consequently Paine reasoned from inadequate empirical observation in France, whereas in the case of America it was Burke who erred in believing that it was not in the interest of the colonies to be independent while at the same time he admitted that Paine "draws an argument" from the colonists' addresses "which (if the fact was as he supposes) must be irresistible" (28, p.207). Paine believed that, given an enthusiastic disposition which could be inspired in the people by republicanism, France would be a prosperous country; his first impressions were of the grand scale of enterprises, the natural fertility of the soil and the abundance which, along with the population, tax revenue, and specie wealth, he compared favourably with Britain; and of the logical method and order of the French mind (10). His knowledge and understanding of France were subsequently bounded by the social circles in which he mixed, the members of which might themselves be accused of a shallow and optimistic appreciation of the situation in France. Paine's acquaintances bore attitudes and personal characteristics which would have given him little doubt about the possible success of republicanism in France. In the tradition of Voltaire's Lettres Philosophiques, 1734, and

Traité sur la Tolerance, 1763, they upheld quaker and Deist religions and moralities, and they debated a wide range of interests, including scientific topics, while their outlook was humanitarian and cosmopolitan. Sentiments of admiration for the virtues and achievements of American society were expressed in, for instance, Raynal's The Revolution in America and Brissot's De la France et des États-Unis, 1787. Following the translation of American state and national constitutions and declarations, the French intellectuals enthusiastically welcomed constitutionalism, and revered Franklin, in particular, as a representative American sage, scientist and humanitarian resident in Paris. "That America was the hope of humanity, the asylum of liberty, the beacon for all ages to come, was the common talk among the more fervid in France" (239, vol.i, p.259). America was seen by the French reformers as a proof of the viability of ideals which they desired for France - according to Echevarria, "Unquestionably the popular support of the United States was in large part actually a disguised demand for the reform of the existing French society and political order" (212, p.42).

However, just as Paine presupposed that Nature was revelation, saw facts which supported this belief, and so did not consider the evil in nature, so he believed that republicanism could be universal, saw evidence for this in America and in certain events in France before 1792, and so failed to investigate considerations to the contrary. That is, in addition to the circumstances influencing Paine's view of France discussed above, there was the fact that his philosophy predisposed him to take an insufficiently extensive account of historical considerations, although he was not alone in this respect (212, p.60). He saw a spirit of liberty developing among French thinkers before the 1780s; the writings of Montesquieu, Voltaire, Rousseau, Raynal, Quesnay and Turgot, and many others "had their weight; and by the different manner in which they treated the subject of government....readers of every class met with

something to their taste, and a spirit of political inquiry began to diffuse itself throughout the Nation at the time the dispute between England and the then colonies of America broke out" (R.M.I, I, p.299, c.f. 204, p.219). To this was added, not only an understanding of the practical constitutional means for securing freedom, but also a popular knowledge of the practice of freedom, by the American war of Independence, the Franco-American alliance, and, in particular, by the French soldiers returning home from America (R.M.I, I, pp.299-300). Consequently Paine was not cautious but optimistic in his welcome for the political and social reforms that were undertaken in France up to the end of 1792, such as the abolition of feudalism (A.D, II, pp.536-7), the new military law (11, p.53), and Robespierre's condemnation of capital punishment (C.S.III, II, p.555). He especially saw as a significant landmark the Declaration of Rights of Man and Citizen of 1789, which was prepared by his friend Lafayette under the guidance of Jefferson, and which imitated the American Bill of Rights. Like Tocqueville, Paine explained the relatively modest violence of the early years of the revolution as a product of the example set by the old régime (R.M.I, I, pp.266-7, c.f. 70, p.192). His misjudgment of the existence of preconditions for republican reform is evident in his statement in 1787: "It is a matter well-known to every man who has lately been in France that a very extraordinary change is working itself in the minds of the people of that nation" (P.R, II, pp.633-4). He believed in 1790 that, unlike the English revolution of 1688, the French revolution was "generated in the rational contemplation of the rights of man and distinguishing from the beginning between persons and principles" (R.M.I, I, p.258, c.f, ibid, p.256 & p.259; II, p.1303 & 1319). "The mind of the nation had changed beforehand, and the new order of things had naturally followed the new order of thoughts"; it was "no more than the consequence of a mental revolution previously existing in France" (11).

Paine's assertions about France indicate that he appreciated the significance of preconditions for republican revolution, but they also point to practical miscalculation due to inadequate reflection even upon his own observations. In July 1791 for instance, he was moved to express the hope that the people would not seek revenge upon their monarch (R.M.II, I, p.519), and in his 'Anti Monarchical Essay' of October 1792, he said that although Louis XVI had been deposed from the hearts of the people long ago, not everyone yet appreciated the fundamental distinction between the principles, or institutions, and the personalities, of monarchy (II, p.542, c.f, L.A, II, p.1436). It was the fall of the Bastille, which was seen by Paine as a symbolic destruction of the principles of the old régime that rendered unnecessary, apart from the immorality of it, violence against the people of the old régime; but as Aldridge judged; "There is little doubt that Paine worked harder than any other member of the Convention to save the life of Louis XVI" (73, p.191). "He was attempting to withstand the forces of dissent and protest which had been building up for generations. To the majority of the Convention, the King was a symbol of a past era - and the King had to be destroyed with the era" (*ibid*, p.192). Paine's opposition to the proposal for constituting the judiciary by open election, in his first address to the Convention, on September 22nd 1792 (3, 48), failed to take account of the general hostility towards all occupants of authority who remained from the old régime, although contrary to Aldridge's belief that he was taking a conservative position here (73, pp.172-3), Paine was in fact only concerned about principle. He saw the replacement of judicial personnel alone as insufficient and possibly destabilising without a reform of the whole complex and oppressive legal system (c.f, C.R., II, p.1004). Although in 1791 he distinguished reforms grounded on republican principles from the demands of a revolutionary mob (A.D, II, p.537), he did not in practice apply his distinction between active revolution, deriving from destructive motives and subject to passion and revenge, and passive revolution by

people consciously united in a just cause (R.M.II, I, p.450). He did not consider the implications of his observation that despotic principles in France were "too deeply rooted to be removed....by anything short of a complete and universal revolution" (R.M.I, I, p.256, c.f, ibid, p.257). He was not suspicious enough of the impatient idealism of the philosophes whose enthusiasm for constitutionalism as an innovation, did not include appreciation of the fact that its establishment in America after 1776 was not a radical departure from tradition; nor did he reflect upon the unpopularity of his federalism among the Jacobins. Not only was a strong central authority needed to effect thoroughgoing reform in France, but decentralisation was seen there as a restoration of the power of the traditional provincial feudal elites, whereas in America it was regarded as a desirable means to local self-government. Similarly, a concentration of power in a single convention or assembly might have been expected in France, given that a strong executive traditionally implied an hereditary monarchy, and an upper legislative assembly implied an aristocratic house; that is, a functional separation of powers could not, as it could in America, be distinguished from social distinctions and privilege.

From a sympathetic viewpoint, it has been said that Paine's approval of the French revolution in its early years was, perhaps, "natural: he had spent thirteen years witnessing the foundation of the American republic, with its promise of democratic processes buttressed by a spirit of independence and a political maturity that augured well for the future" (105, p.vii). His unrealistic view of Britain and, in particular, of France before 1793, was the product of the religious and moral pre-suppositions which caused him to universalise some of the empirical conditions which he had observed in America. He did not fail to appreciate that certain preconditions were required for republican reform, but he in practice omitted to undertake an adequate investigation and verification.

The considerations which recommended a more cautious attitude to reform in France were perceived by other men who, compared with Paine, not only had a greater familiarity with the language, history and contemporary condition of French society, but who had, above all, a predisposition to be less confident in the sociable and rational capacities of human nature. Such men included not only Burke and John Adams, but also Jefferson despite his misunderstanding of the significance of certain of the early events of the revolution (185, *passim*), so that Metzgar concluded: "In essence, the pragmatism of Jefferson exhibits the mentality of the political leader, while the idealism of Thomas Paine displays the mentality of the religious radical" (102, p.68). Paine might thus be seen to have been susceptible to what Karl Mannheim called, "utopian thinking", or an incapacity correctly to diagnose an existing situation evinced by people who

are not at all concerned with what really exists; rather in their thinking they already seek to change the situation that exists. Their thought is never a diagnosis of the situation; it can be used only as a direction for action. In the utopian mentality, the collective unconscious, guided by wishful representation and the will to action, hides certain aspects of reality. It turns its back on everything which would shake its belief or paralyse its desire to change things (12).

Only after the French revolution had diverged from his principles did Paine realise that he had not avoided the pitfall of which he was aware only as a generalisation: "The danger to which the success of revolutions is most exposed, is that of attempting them before the principles on which they proceed, and the advantages to result from them, are sufficiently seen and understood" (R.M.II, I, p.356).

3. Paine and Reaction

Paine became disillusioned with the French revolution towards the end of 1792, with the ascendancy of the Jacobins and their violent measures. He attributed the immediate degeneration of the revolution from its moderate beginnings and noble intentions, to the appearance of factional party spirit, by which he referred to the Jacobins' desire

for power instead of adhering to principle (7, II, p.1335, p.1340, p.1342, & p.909). However, he also located a more widespread and underlying cause for the failure of France to repeat the political reforms of America in the immorality which resulted from a combination of religious fanaticism among the populace, especially the belief in the absolution of sins (W.C.B, II, p.759, A.R.II, I, p.514), and atheism, especially among the leaders (E.C, II, p.754, P.P, II, p.801). Consequently, after 1792 Paine increasingly concentrated in his thought and writings on the issues of morals, religion and education which are discussed in chapter one above and chapter five below. Theobald Wolfe Tone commented in 1797: Paine "seems to plume himself more on his theology than his politics" (56, vol.ii, p.189), and Henry Yorke remarked in 1802 that "in proportion as he appeared listless of politics, he seemed quite a zealot in his religious creed" (81, p.198).

Furthermore, Paine became more cautious in his readiness to support political reform. His proposals concerning the incorporation of French Louisiana into the United States which occurred in October 1803, not only suggest that the French experience had caused him to be more sensitive in the matter of preconditions of republicanism, but also indicate the tension that can exist between practical considerations and an assumption of universal rights as one aspect of natural justice. His suggestions relating to Louisiana openly recognised that people should demonstrate that they were, at least, not disqualified from republicanism, before acceding to full representative government. Paine stated in To The French Inhabitants of Louisiana, 1804, that the territory should not immediately be granted the same status in the union as the other states. In the light of the failure of France to understand republican principles, Paine asserted that Americans, unlike the occupants of Louisiana, who had not participated in the war of independence, gained their full political rights because of a devotion to the principles of liberty

(L.A.C.VIII, II, p.956). "You see what mischief ensued in France by the possession of power before they understood principles. They earned liberty in words but not in fact" (T.F.I, II, p.963). Paine distrusted the French settlers of Louisiana who had the same customs, and particularly the same Catholic influence, as obtained in France (II, p.1441). He found no fault with the "principles of liberty" which the Louisiana memorialists demanded, "considered in the abstract. The error lies in the misapplication of them, and in assuming a ground they have not a right to stand upon" (T.F.I, II, p.964). Moreover, New Orleans was the centre of the slave trade which Paine despised (II, p.1462), and the inhabitants' claim as a right, of the power to import and to enslave negroes, was evidence to him of their lack of understanding of the principles of liberty, and so of justice (T.F.I, II, pp.964-5): "Those who abuse liberty when they possess it would abuse power when they obtain it" (L.A.C.I, II, p.911). Consequently, in his proposals for the accession of Louisiana, Paine only, in fact, followed the usual American practice involved in creating a new state, which he had already adhered to in his proposals in Common Sense and Public Good with respect to the western territory which he saw as a national fund to be used for the common good, having been secured to the nation as a whole by the efforts of all the colonists in the war of independence. In 1780 he followed convention in stating: "a constitution must be formed by the United States, as the rule of government in any new state, for a certain term of years, or until the state becomes peopled to a certain number of inhabitants" (P.G, II, p.332). Consequently, Paine was not being reactionary when he applied the same rule to Louisiana, after an initial suggestion to Jefferson, in 1802, that the American government propose the purchase of that colony "provided it be 'with the consent of the people of Louisiana, or a majority thereof' " (II, p.1431).

Paine in 1804 not only made proposals consistent with his earlier proposals for the vacant territory: he also fully expected, and provided for

the accession of the new state to its full rights. He recommended a provisional governor, appointed by the President, and a provisional state government, appointed by Congress, by which the French inhabitants would be as they should be, under the same laws as new American settlers. He also allowed to the French their own Chamber of Commerce and Court of Arbitration in which to settle their private affairs (II, p.1456-7). He suggested the means of political education, for although the French should not be allowed to control the provisional government and legal jurisdiction, for fear of partiality in the treatment of French and American settlers, they could elect their municipal governments (II, p.1441), and, "standing in the line of a younger child of the same stock", they should be represented in Congress, "there to sit, hear, and debate on all questions and matters, but not to vote on any till after the expiration of seven years" (P.G, II, p.332,c.f, II, p.1457). As the American settlers reached the number of the French inhabitants, and in proportion as the French "become initiated into the principles and practice of the representative system of government", they would "participate more and finally be partakers of the whole" (T.F.I, II, p.964). Paine even intended going to Louisiana to disseminate republican principles and so to expedite political development there (II, p.1445).

Paine's proposals for Louisiana might be seen to be incompatible with his beliefs, expressed as early as 1775, that to choose one's own rulers was "the essence of liberty" and that the "equality of liberty" derived from the "immutable laws of nature" (II, p.48). For as should be evident from chapters one and two above, Paine believed that "Man is himself the origin and the evidence of the right" of government by election and representation (D.F.P, II, p.578), and exclusion from the right to vote which belonged to everyone" implies a stigma on the moral character of the persons excluded; and this is what no part of the community has a right to pronounce upon another part" (ibid, p.579),

"et celui qui se propose de priver un individu de ses droits de comettre un vol" (10, p.114). However, while he always condemned a suffrage which was decided by property qualifications, he never denied that morally relevant criteria could not lead to self-disqualification from a right to vote. For Paine, it was no "external circumstance" that could justify the moral pronouncement implied by the withdrawal of the right to vote (D.F.P, II, p.579). Louisianans were in effect to be treated, politically, temporarily as children who possessed rights which could not be denied, but whose accession to the full exercise of the right to vote was conditional on political maturity. This proposal, reflecting a greater awareness of the need to establish republican qualifications pragmatically, was one effect of the French revolution on Paine's political thought and temperament, although it also reflected a confidence in the justness of that guardian of Louisiana, the qualified majority of the people of the United States (T.F.I, II, pp.967-8). Alongside this development, he continued to believe that the right to vote was, in theory, universally applicable, since to regard all men as having been born equal in moral potential was itself a moral principle. Paine's basic philosophy remained far removed from that of Burke; rights belonged naturally to man qua man, and all men should be presumed to be equally qualified unless and until proved otherwise by morally relevant criteria which excluded consideration of the external circumstances of, for instance, property as an a priori qualification; "no 'involuntary' circumstance or situation in life can deprive a man of freedom" (S.A.L.I, I, p.287). However, Paine might be criticised in that, just as he saw constitutional judgments, so he saw cases of self-disqualification from the right to vote as too clear and obvious, even though, in practice, once the simplicity of the universal application of a principle is departed from in the face of practical considerations, disputes and, perhaps, arbitrariness might be introduced, especially in

the light of Paine's view of the cumulative nature of a departure from principle and of a resort to expediency. Self-appointed judges might differ widely on the actual fulfilment of the criteria of, for instance, the "common interest with, and attachment to, the community" in the Pennsylvania declaration of 1776, or of the "common sense, common honesty, and civil manners" which, according to Paine, qualified man for representative government (13).

4. Anatomy of Revolution: Some Implications

Paine has been criticised, by Nursey-Bray for instance, for a failure to understand the psychology of power, for an expectation that in a representative government there would, in contrast to a monarchy, be no problem of ensuring accountability of the rulers; "He never really perceived the operation of the element of power in human society, and never grasped the reason for the practical distortion of theoretically ideal principles" (103, p.144, c.f. 134, pp.239-40). The account of the formal institutional controls over, and the moral foundation of, republican government in Paine's model presented in chapter three above, suggests that this criticism is not entirely justified, but Paine might, nevertheless, be accused of some naïveté in his ideas concerning the measures that it might be expedient to employ in instituting a republic.

Before his disillusionment with the French revolution, Paine failed to consider the need for adequate safeguards against the possibility of a revolution becoming dominated by leaders who acted from selfish motives or, even, from sincere ideals which, to them, justified action that was in fact contrary to natural justice; his simplified ethical outlook prevented him considering that Robespierre, for instance, might have acted as he did during the Terror, out of benevolent intentions and moral conviction. Paine's plea for reform by reason and accommodation - "it would not only be wrong, but bad policy to attempt by force what ought to be accomplished by reason" (R.M.I, I, p.446) - was a pious hope, since his

possibility of treating with all vested interests implied that coercion might be necessary, despite the impression that was probably made upon him by the peaceful abdication of power by the old conservative rulers of Pennsylvania in 1776. Although insurrection might be morally justified, the allocation of responsibility to those who resisted does not alter the practical implications (R.M.II, I, p.446). For, seemingly involved in Paine's views about revolution, was a reliance on the emergence of leaders who would be so inspired by the principles aimed at that, although they might execute actions contrary to the principles of equal natural rights and natural justice, they would nonetheless subsequently willingly subordinate themselves to the establishment of a constitutional republican government. Paine hoped, in other words, that the nature of the revolutionary cause would preserve from corruption the leaders who, temporarily, wielded exceptional power, and in this hope he was probably influenced by the institutional reform, and the change of rulers, in the American colonies after 1775, where constitutional government was taken for granted by the reformers and by the new governors. However, in contrast Paine also observed in the war of independence the effects of resorts to expediency, not only in blunting "the finer feelings" and sympathy, but also in weakening "many of the moral obligations of society....till the custom of acting by necessity becomes an apology, where it is truly a crime" (C.P. XIII, I, p.232, c.f. P.G, II, pp.375-6 & 18th F, II, p.605). There was an inconsistency between Paine's acceptance of temporary expedient measures as possibly necessary for the establishment of a republic, and his belief, drawn from reason and experience, that power corrupted the exerciser of power. "Never invest any individual with extraordinary power for besides his being tempted to misuse it, it will excite contention and commotion in the nation for office" (D.F.P, II, p.587).

In the first instance, Paine's hope that the exceptionally virtuous leaders who would come forward in the right place at the right time,

would, like Plato's philosopher kings, not stray from the path of right as they approached the goal, was one significant instance of his tendency to be optimistic about the possible relationship between the mind and the cause or object that was pursued.⁽¹⁴⁾ However, he was also always careful to distinguish, and to urge other people to recognise, the distinctions between persons or parties, and principles; between acting by expediency, for the institution of a republic only, and acting only by principle once a republic was instituted (R.M.I, I, pp.256-7). His belief in 1776 - "Immediate necessity makes many things convenient, which, if continued would grow into oppressions. Expedience and right are different things" (C.S, I, p.39) - was not fundamentally affected by his early support for the French revolution and for the means made use of to overthrow despotism, which

are fully justified by necessity. Those means are in general, insurrections; for while the established government of despotism continues in any country it is scarcely possible that any other means can be used. It is also certain that in the commencement of a revolution, the revolutionary party permit to themselves a 'discretionary exercise of power' regulated more by circumstances than by principle, which, were the practice to continue, liberty would never be established, or if established, would soon be overthrown. There never yet was any truth or principle so irresistibly obvious that all men believed it at once....those who may happen to be first convinced have not a right to persecute others, on whom conviction operates more slowly (D.F.P, II, p.587, c.f. C.P.XIII, I, p.230 & 18th F, II, p.605).

In a vein similar to Paine's criticism of the politics of the Federalist was his suggestion to the French Convention in 1795:

if you subvert the basis of the Revolution, if you dispense with principles, and substitute expedients you will extinguish that enthusiasm and energy which have hitherto been the life and soul of the Revolution; and you will substitute in its place nothing but a cold indifference and self-interest (C.S.IV, II, p.594).

As well as urging general reflection and emotional self-control (C.P.XIII, I, p.230, II, p.539), Paine, in the last instance, believed that the people could be cumulatively enlightened and rapidly made alert and able to

preclude a prolongation of rule by revolutionary leaders that was based on expediency, so that "when the cause which it upholds is just and glorious", a people "will never allow that cause to be degraded by revenge" (R.M.II, I, p.519). Consequently, despite his assertion that "Time and reason must co-operate with each other to the final establishment of any principle" (D.F.P, II, p.587), Paine also said, somewhat at odds with this assertion, that it was "impossible to calculate the silent progress of opinion" (L.A.A, II, p.510), for the "progress of time and circumstances, which men assign to the accomplishment of great changes, is too mechanical to measure the force of the mind, and the rapidity of reflection, by which revolutions are generated" (R.M.I, I, pp.340-1). This belief of his about popular enlightenment indicates not only his divergence from the ideas deducible from sensationalist psychology, but also his ability to conceive that the revolution in France might be accomplished in "a much shorter time" than the fourteen or fifteen years which Lafayette allowed (R.M.II, I, p.347).

Some extensions of the notion of the resort to expediency for a revolution can be found in Paine's writings about established republics. One such positive application of the right of self-defence and the rule of necessity was what he called "conquest for liberty", or what might now be called the liberation of oppressed peoples (18th.F, II, p.599). This was the invasion of another country, not to subjugate its people, but "to tell them they are free, and teach them to be so" (ibid, p.600). Before Napoleon assumed complete power in 1799, Paine supported the proposed French invasion of Britain, contrary to his statement in Crisis Paper I that he never would support an offensive war (I, p.55), and apparently contrary to the right he assumed that each society had to form its own government. However, he was not influenced in this by the French Propagandist Decrees of 1792, for he was simply convinced that a majority of the British people wanted to form a republic, and to have

friendly relations with France, but were thwarted in their desires by their government (II, p.682). That there could be a war against a government and not against its people, was a belief that followed from Paine's distinction between society and government. Moreover, so long as Britain was ruled by a monarch with German connections, the peace of Europe, Paine said, was affected by the internal government of Britain. Although this suggestion was no mere rationalisation produced by Paine in 1798 (R.M.I, I, pp.327-8, II, p.1278-9), nevertheless, on his beliefs that only republican governments would assuredly be pacific in foreign intentions, and that the full enjoyment of the benefits of republicanism in any one country depended on favourable international relations (R.M.I, I, p.404, C.S.I, II, p.550) the invasion of any country which, in exercising its right to form its own government, constructed anything other than a republican system, would seem to have justification! (15).

Paine not only believed that a constitution should be established and accepted even though there might be disagreements over specific details, because of the need to begin constitutional government somewhere; he also accepted that a constitution could be contravened in part in order to preserve the whole just as one precept of justice could be overridden in order to secure a greater justice (II, pp.271-2, p.277; 12, p.101). The application of the idea that self-preservation justified expedient action was thus extended from human life to the maintenance of republics! Paine consequently supported the coup of the French Directory on September 3rd 1797, against certain members of the elected upper assembly who appeared to him to be organising a royalist counter-revolution (18th F, II, pp.594-612). He justified the coup as a particular application of the supreme law of absolute necessity since, again, to him the issue seemed clear-cut. Although he had condemned the denunciation of Girondin by Jacobin representatives, which had begun in May 1793 (II, p.1338), in 1797 "Everything was at stake.... The case reduced

itself to a simple alternative - shall the Republic be destroyed by the darksome manoeuvres of faction, or shall it be preserved by an exceptional act?" (18th.F, II, p.605, c.f, ibid, p.600). The general importance of the principle raised by Paine's justification of this coup of the eighteenth Fructidor can be seen by reference to the instances of the assumption by President Lincoln, during the American civil war, of what were widely regarded as dictatorial powers in order to preserve the union. (His suspension of habeas corpus, for instance, was overruled, as unconstitutional, by the Supreme Court in ex parte Milligan, 1866).

A combination of conquest for liberty, and disregard of the constitution, can be seen in the action by President Jefferson, supported by Paine, in arranging the American purchase of Louisiana when the constitution delegated to him no such power. Neither Jefferson nor Paine believed that this action was, unlike the case of the eighteenth Fructidor, either violating or construing the constitution. The purchase was made, under the pressure of immediate circumstances, for the public good, and was an act above the constitution, for which the constitution made no provision (II, pp.1447-8, p.1457).

An important conclusion from these applications of the law of necessity is that, although a constitution might be a significant check and control over governments, it could not provide a certain and comprehensive solution to all contingencies that might arise in political life. Action in accordance with the spirit, rather than by the rule, of moral principle and the constitution might sometimes be what was required. Thus, despite his emphasis on constitutionalism, Paine was ultimately in agreement with Jefferson's belief, expressed in 1816:

A strict observance of the written law is doubtless one of the high duties of a good citizen, but it is not 'the highest'. The laws of necessity, of self-preservation, of saving our country when in danger, are of higher obligation. To lose our country by a scrupulous adherence to the written law, would be to lose the law itself, with life, liberty and property and all those who are enjoying them with us; thus absurdly sacrificing the end to the means (49, pp.606-7, c.f, 43, vol.ix, p.211)

However, Paine did not sufficiently appreciate that an invocation of the law of necessity requires fine, and perhaps controversial, but not often simple and obvious, judgment of when and where it is justified, and this difficulty of judgment is most apparent when, as in the case of the eighteenth Fructidor, it is pre-emptive and preventive action that is deliberated. Consequently, the allowance of a resort to expediency, according to the light in which particular circumstances were seen at a particular point of time, and the execution of expedient action, must rest in the first instance on a trust in the character of the leaders, and in the last instance on the faith in the good sense and justness of the people and on the simplified ethical outlook which characterised Paine's philosophy. This faith was the only sound basis for allowing the revolutionary and other actions discussed in this section. This conclusion, concerning the exceptional contravention of the principles of republican government, is no more than the conclusion which emerged in the discussion in chapter three of Paine's account of the good citizen who, in normal times, observed the principles of justice and of the constitution.

Paine can be said to have given reasoned grounds for revolution the object of which was the establishment of justice in society. Although he perceived some peculiarities of America's qualification for republicanism, his fundamental beliefs about religion and human nature entailed a failure to appreciate the importance of differences in social and historical conditions. Consequently, he misunderstood the direction of reformist sentiment in Britain, and was mistaken in thinking that preconditions for republican revolution existed in France. His suggestions on Louisiana indicate some realisation, after 1792, of a need for a more realistic appraisal of specific situations, although this did not involve him in a denial of his basic political principles.

His justifications for expedient political action rested ultimately on a faith in the character of the people.

NOTES AND REFERENCES TO CHAPTER FOUR

1. See above pp. 25-6 and pp. 93-4.

In his 'Reflections' Burke contrasted with the idea that a country was a 'carte blanche' upon which men may scribble whatever they pleased, the belief that institutions

have cast their roots wide and deep, and where, by long habit, things more valuable than themselves are so adapted to them, in a manner interwoven with them, that the one cannot be destroyed without notably impairing the other (27, p. 153).

The legislators who framed the ancient republics knew that their business was too arduous to be accomplished with no better apparatus than the metaphysics of an undergraduate, and the mathematics and arithmetic of an exciseman. They had to do with citizens and they were obliged to study the effects of those habits which are communicated by the circumstances of civil life (ibid., p. 180).

2. E.A.C.VII, II, p. 939, c.f., C.P.XIII, I, pp. 232-3; L.W., II, p. 692, P.R., II, p. 634; II, p. 1473.

3. "It is always dangerous to spread the alarm of danger unless the prospect of success be held out with it, and that not only as probable, but a naturally essential" (II, p. 1186).

Paine did not suggest republican reform in France before 1791, or in Britain after 1793 (See p. 12 above).

4. Bernard Bailyn, for instance, considered that the phraseology of the revolutionary writers, encompassing such emotive words as slavery, corruption and conspiracy, was not mere "propaganda in the modern meaning", but represented real fears and anxieties (142, p. ix).

In the end I was convinced that the fear of a comprehensive conspiracy against liberty throughout the English-speaking world - a conspiracy believed to have been nourished in corruption, and of which, it was felt, oppression in America was only the most immediately visible part - lay at the heart of the Revolutionary movement" (ibid., p. x)

This belief, which was manifested in some of Paine's Pennsylvania Magazine articles, was seen by Bailyn as the most important of the influences that have propelled the colonists to revolution (ibid., p. 60)

The debate over the reasons for, and the cause and aims of, the American war of independence is summarised by Gordon Wood in "Rhetoric and

Reality in the American Revolution" (186).

5. ibid., p.363

A growing, grasping, expanding society, it offered to individualism a degree of free play seldom exceeded. At the same time, few communities of the age could present such golden opportunities for communion and interchange of all kinds, material, intellectual and spiritual, and a continuing sense of social and civic responsibility kept extremes of individual or plutocratic selfishness in check (ibid., p.26).

In Philadelphia more than at any other colonial settlement, the practice of humanitarianism

kept pace with theory. Here men generally accepted the proposition that poverty, disease, and cruelty were intrinsically bad and socially inefficient, and that all were anachronisms in a community where progress was a demonstrable fact (ibid., p.260)

Knowledge to such men had value chiefly as it could be employed to better the lot of mankind; that it was capable of so doing, they never doubted (ibid., pp.364-5).

Since Philadelphians were on the whole a serious people, many clubs came to combine some benevolent, social or political purpose with the lesser objectives of companionship and conviviality (ibid., p.23).

Interest in science, for instance,

proved a strong force for Americanisation, bringing together persons of all ranks in close and increasingly democratic association for the accomplishment of a common purpose (ibid., p.363).

(Science was) an irresistible force for democracy....for it demanded the combination not only of wealth and heads but also of hands and tools, less for the intellectual pleasures of pure speculation than for the application of learning to the problems of human advancement (ibid., p.357).

6. See, for instance, Paine's letter to Jefferson, February 16th 1789, (3, vol.xiv , pp.564-5).

Paine aligned himself with the Whigs, who upheld the hereditary succession of the Regent, against Pitt's proposal for Parliamentary appointment of a successor to King George III who, in 1788-9, suffered a bout of insanity. Aldridge consequently believed that Paine's anti-monarchism only developed with that of the French revolutionaries after 1789 (73, p.123), although, in fact, not only had Paine

presented his case against monarchy while in America (as shown above, pp.107-112) but his views in the Regency issue simply expressed a stratagem of gradual and peaceful reform. Paine regarded the accession of the Regent, who was an ally of the Whig opposition, and whose constitutional position thus ultimately depended on the people, as a lesser evil than the temporary appointment of a Regent by the hereditary House of Lords which, with the Ministry, would extract places and pensions in return. Paine saw Pitt's plan as entailing government altering itself, so that "the conduct of the opposition is much nearer to the principles of the constitution than what the conduct of the ministry was " (II, p.1279, c.f. R.M.I, I, p.320 & pp.329-30.) The people, in welcoming Pitt's plan, demonstrated that they had "no discernment into principles or consequences" (3, vol.xiv, p.561). Moreover, Paine also suggested that the situation provided an opportunity to elect a national convention to collect the sense of the people on the need for constitutional reform (II, pp.1279-80).

The French King, Paine said in a letter to Burke, January 17th 1790, "has not felt himself so easy of several years as at present. His appearance shows (he is on)....good terms with the Nation and the National Assembly" (11, p.51).

7. Historians who have agreed about the relatively moderate nature of the claims of reformers include Alfred Cobban (210, pp.16-32), R.Birley (190), Fennessey (98, pp.194-212), Schilling (204, pp.152-81), and W.T.Laprade (200). According to Fennessey, for instance, the

evidence, then, of the reviews and pamphlets of 1791 is that there was a certain tendency to agree with Paine in his defence of the French revolution and his personal attack on Burke; but at the same time there was a general rejection of his republicanism and his radical application of the doctrine of the rights of man, and resentment of his scorn and contempt for the English system of government (98, p.220).

Laprade's conclusion was that the reforming societies

do not appear to have....advocated anything more than a radical

reform in the system of representation in the House of Commons. There is no trace anywhere in England during these years of any considerable bodies of men who upheld or propagated either the republican principles of Paine or the extravagant doctrine of the French revolutionists (200, p.26).

Paine's anti-monarchism was, then, "far too sweeping to receive the approval of any considerable number even of the most radical reformers who were active in England during this period" (ibid.).

8. Paine's republican principles were expressed in 'Letter to the Authors of Le Républicain, June 1791, in a contribution to the first issue of that paper in July, and in his Republican Manifesto of July 1st. The evidence suggested to Aldridge that Paine, Condorcet, and the Abbé Sieyès had jointly occupied themselves, in the Républicain, with preparing the French people to accept a republic.

They had agreed that in order to succeed in their attack on the throne they must proceed with moderation. It was arranged that Sieyès should first touch on the question of royalty and defend it half-heartedly. Condorcet and Paine were then to reply with superior arguments (73, pp.148-9).

9. These distinctions between France and America in the eighteenth century have been elaborated by historians, such as Louis Hartz (180; 151), and R.R. Palmer who believed that "in its effects on society and social and moral attitudes" the French revolution "went far beyond the merely political, more so than the American revolution" (239, vol.1, p.441). Burke was right enough in his 'Reflections' in perceiving the radicalism of the French revolution at its outset.

By 'radicalism' I mean a deep estrangement from the existing order, an insistence upon values incompatible with those embodied in actual institutions, a refusal to entertain projects of compromise.. a determination to destroy and to create, and a belief that both destruction and creation could be relatively easy (27, p.447).

Tocqueville believed that in the United States

the sovereignty of the people is not an isolated doctrine, bearing no relation to the prevailing manners and ideas of the people....The Providence has given to every human being the degree of reason necessary to direct himself in the affairs which interest him exclusively; such is the grand maxim upon which civil and political society rests in the United States....republican notions insinuate themselves into all the ideas, opinions and habits of Americans (69, p.277).

On the other hand, in France,

Since the object of the Revolution was not merely to change an old form of government but to abolish the entire social structure of pre-revolutionary France, it was obliged to declare war simultaneously on all established powers, to destroy all religious prerogatives, to make short work of all traditions, and to institute new ways of living, new conventions. Thus one of its first acts was to rid men's minds of all those notions which had ensured their obedience to authority under the old régime (70, p.8).

10. The country from Havre to Rouen is the richest I ever saw. The crops are abundant, and the cultivation in nice and beautiful order. Everything appeared to be in fulness; the people are very stout....(II, p.1262, c.f. R.M.I, I, p.331; L.R, II, pp.259-60; P.R, II, pp.633-43).

Burke's emphasis on the place of prejudice, the passions, and tradition in French society, and his view that rationalism was a dangerous innovation of the revolutionaries, might be balanced by reference to the values of at least the elite of French society at Versailles:

Seen from the terrace the park is perfectly laid out, the symmetry is complete, the flower beds are in harmonious balance with each other, groves and walks are skilfully mingled and ornamental lakes follow one another in perfect geometrical pattern. 'Gardens that have become palaces', wrote La Fontaine, realising that the gardens had been planned with such care that their design seems to have influenced the very shape of the palace itself. As if by magic, Le Notre had turned mire into fountain, mud into thickets, and marshy ground into pools of water, before Vauban came to organise the magnificent water display (245, pp.49-52).

11. R.M.I, I, p.298.

For Clark, this belief "sheds some light....on the truth of the current notion that Paine was an economic determinist"(95,p.cviii).

Paine's estimation of the French climate of opinion was not completely misguided, for as Fennessey said :

Burke never freed himself from the conviction that the revolution was inspired and controlled by a comparatively small body of men. This is all the more remarkable because he knew perfectly well that Paine spoke the truth when he said that the mass of the nation was solidly in support of the national assembly. He had admitted, rather grudgingly, to his son Richard in the previous November, that 'there really is some appearance as if the Nation was more united than one could have imagined'. Had Burke pursued this line of thought, and investigated the motives that led the various classes and interests in France to support the revolution, he would no doubt have adopted a more detached and sympathetic attitude (98, p.105).

Burke chose to ignore the simple explanation that the French people wanted far-reaching changes, and wanted them quick; he failed to understand that their imagination, their reason, and their conscience were all on the side of the revolution (ibid., p.106).

12. 237, p.36

Paine said at one point during the war of independence; "I felt unwilling to ask questions lest the information should not be agreeable" (II, p.1145). See in conjunction with this p.39 above.

13. II, p.675

There is, further, a logical problem that will be encountered by all thinkers for whom the practical application of their moral, social and political ideals conflicts with the picture of the world that they develop on the basis of observation. For Paine, there was a problem of how people were to qualify for representative government when full qualification could only be achieved, and demonstrated, in a republican political and social system. A parallel can be seen in J.S.Mill's deliberations on the extent of the suffrage, in his Considerations on Representative Government, 1861. Mill recognised that

a constitution which gives equal influence, man for man, to the most and to the least instructed, is nevertheless conducive to progress, because the appeals constantly made to the less instructed classes, the exercise given to their mental powers.... are powerful stimulants to their advance in intelligence (53, p.289).

Mill saw the suffrage as a "potent instrument of mental improvement in the exercise of political franchises" (ibid., p.277), and he was similar to Paine in his belief that

It is by political discussion that the manual labourer, whose employment is a routine, and whose way of life brings him in contact with no great variety of impressions, circumstances, or ideas, is taught that remote causes, and events which take place far off, have a most sensible effect even on his personal interests; and it is from political discussion, and collective political action, that one whose daily occupations concentrate his interests in a small circle round himself, learns to feel for and with his fellow-citizens, and becomes consciously a member of a great community (ibid., pp.278-9).

Mill in fact adduced four separate reasons for universal suffrage, all of which were argued by Paine. First, without the vote, a person would feel that the great affairs of society were no concern of his, or that he had "no business with the laws except to obey them" (ibid, p.279). Secondly, to withhold the vote from people who were subject to civil duties was unjust (ibid), and thirdly, every man "is degraded, whether aware of it or not, when other people, without consulting him, take upon themselves unlimited powers to regulate his destiny" (ibid). Fourthly, rulers will tend not to consider the interests of those people who could not hold them accountable (ibid). However, said Mill, there were

certain exclusions, required by positive reasons.... and which, though an evil in themselves, are only to be got rid of by the cessation of the state of things which requires them....: universal teaching must precede universal enfranchisement. No one but those in whom an a priori theory has silenced common sense will maintain that power over others, over the whole community, should be imparted to people who have not acquired the commonest and most essential requisites for taking care of themselves... (ibid p.280).

Unlike Paine, Mill believed, for instance, that "the receipt of parish relief should be a peremptory disqualification for the franchise" (ibid, p.292).

14. See pp.39-40 above and R.M.I, I, p.313.

Perhaps a connection might be drawn between the idea of a diffused spirit of justice which informed men's behaviour, as opposed to a detailed code of ethics which was rigidly followed, and a belief in an ability to withstand the temptations occasioned by the expedient action which would be forbidden by such a rigorous code of ethics.

15. See below p.248.

According to the First Propagandist Decree, of November 19th 1792, France would "grant fraternity and aid to all peoples who wish to recover their liberty and it charges the executive power with giving its generals the order necessary for bringing aid to such peoples

and for defending citizens who have been, or who might be harassed for the cause of liberty" (21, p.381).

Paine had already supported the French invasion of Germany (R.M.I, I, p.348).

CHAPTER FIVE *

THE NATURE OF TRUE CIVIL SOCIETY

We turn now to examination (in section 1) of Paine's view of the moral role of religion in society and the reasons for his statement - "Soon after I had published the pamphlet Common Sense in America, I saw the exceeding probability that a revolution in the system of government would be followed by a revolution in the system of religion" (A.R.I, I, p.456); (in section 2) of the origins and development of his interest in and analysis of social and economic issues and his views on the place of government in social improvement, particularly his conception that "A revolution in the state of civilisation is the necessary companion of revolutions in the system of government" (A.J.I, p.621) and, (in section 3) of the bearing of his moral, social and political ideas on his views about the relations between societies, in the light of his belief that "Revolutions, then, have for their object a change in the moral condition of governments" (R.II, I, p.400).

1. The Role of Religion

According to Alfred Cobban, by 1792 Paine "had moved to a complete denial of the place of religion in society, as opposed to Locke's toleration of tolerant Churches" (210, p.15), and for Paine's contemporary biographer, Cheetham, "the Age of Reason is an acrimonious attack, not on priestcraft, nor on the abuses of religion, nor on the irregularities of its ministers, but on religion itself" (75, p.178, c.f. 163, p.77). But contrary to the inferences that can be, and generally have been, drawn from the personal intolerance shown in his anti-Biblical writings, Paine in fact maintained throughout his life that religions played a vital role in society, although he accompanied this by defining religion simply by reference to a belief in God and the practise of moral truth

* notes and references: pp.255-259.

(A.R.I, I, p.506), and did not hold that religion required a community of spiritual believers (195, p.36). A function of religious groups was "to watch over the morals of a nation", and so to be, indirectly, "guardians of public liberty" (1). Paine said that he was a friend to all religions so long as they had, on balance, a beneficial effect on society; " ' every religion is good that teaches man to be good ' " (R.M.II, I, p.451), but he never accepted the mystical, supernatural or historical beliefs that many religions involved. To Paine, faith, unlike imagination, "rests on knowledge of fact or rational probability" (P.P, II, p.813), it was "nothing more than an assent the mind gives to something it sees cause to believe is fact" (II, p.1484).

In America Paine was impressed by the liberalism of Protestantism and he saw the country as particularly fortunate in having a variety of religions (C.S, I, p.37). The occasion of his first expression of hostility to the church was the political involvement of the Anglican Church which was brought to his attention by the Dissenting movement of the 1780s and '90s for the reform of the Toleration Acts in Britain; his attitude here was totally opposed to that expressed in, for instance, Burke's 'Reflections'-that the existing links between the established church and the state were both desirable and necessary for social order (27, pp.88-90). Burke followed Bishop Warburton's The Alliance between Church and State, or the Necessity and Equity of an Established Religion and a Test Law, 1736, in the belief that although civil magistrates should not be concerned with the abstract truth of religious beliefs, religious sanctions were useful additions to state powers; "Not only did the old doctrine of passive obedience linger on, but the Church in its daily practice called for loyalty to the governing powers almost as an article of faith" (204, p.89); the "very devotions and prayers spoken within the Church edifice often seemed to uphold the reigning powers as if they were in turn a part of the Church" (ibid, p.90). "Theory and

practice both seem, then, to point to a mutual dependence between the Church and civil authority. Every church officer....had to give evidence of his devotion to the existing government" (*ibid*, pp.91-2). Paine opposed this alliance of mutual support, which was a policy following on from the Tory philosophy, not only because of the political effects of the connection and because of the religious superstition, which made the church "an engine of power" (A.R.II, I, p.600, c.f, R.M.I, I, p.277, R. M.II, I, p.451), but also because of its corrupting influence on morality. Furthermore, the interposition of an ecclesiastical hierarchy between the people and God, kept the people ignorant of the nature of God and of man, just as the old régimes kept men ignorant of their rights, while the two institutions were mutually supporting because both denied the fundamental equality of man (R.m.I, I, p.271 & pp.292-3, A.R.I, I, p.600).

Paine was as hostile to religious intolerance as was John Milton in Areopagitica, 1644, and he observed that

With respect to what are called denominations of religion, if everyone is left to judge of his own religion, there is no such thing as a religion that is wrong; but if they are to judge of each other's religion, there is no such thing as a religion that is right (R.M.I, I, p.292).

Moreover, for authorities to expound a principle of religious toleration constituted not only a contravention of natural right but also an impudence to God, since tolerance of something against the values of the tolerant implied a claim to judge for others (R.M.I, I, pp.291-2; S.A.L.I, II, pp.285). The idea of toleration, like the idea of petitioning Parliament to reform itself, implicitly denied the equality of rights. The only concern of governments with religion should, then, be

with the civil rights of it, and not at all with its 'creeds'. Instead, therefore, of using the word religion, as a word en masse, as if it meant a creed, it would be better to speak only of its civil rights; 'that all denominations of religion are equally protected, that none are dominant, none inferior, that the rights of conscience are equal to every denomination and to every individual and that it is the duty of government to preserve this equality of conscientious rights' (II, pp.1449-50).

However, although Paine's dogmatic expression of his beliefs should not be allowed to obscure his concern for the natural right to freedom of conscience and expression, his support for equal religious freedom was, because of his identification of religious beliefs with morality, not very different from Rousseau's apparently more limited proposal, in the Social Contract, that "tolerance should be given to all religions that tolerate others" (64, p.115). Freedom of conscience was an inalienable right, but, on Paine's definition, the first principles of all religions were the same belief in one God, and the same basic moral precepts, which all people should agree on; and so all particular religious creeds could logically conform to these principles without dictating contrary duties. Just as the Declaration of Rights should control the elaboration of a constitution, so the belief in one God should fix men in their creed in such a way that "were man impressed as fully or as strongly as he ought to be, with the belief of a God, his moral life would be regulated by the force of that belief" (A.R.II, I, p.602). Consequently, Paine could allow freedom of conscience without conceding as legitimate a diversity of morally relevant creeds. Only because he identified the belief in one God with a recognition of the equality of man, and an acceptance of natural justice, could he state; "our relation to each other in this world is as men, and the man who is a friend to man and to his rights, let his religious opinions be what they may, is a good citizen to whom I can give, as I ought to do, and as every other ought, the right hand of fellowship...."(L.A, II, p.1438). There was, in other words, a moral limitation on rights which restricted the freedom of expression and action of the intolerant and of the person whose religion condoned behaviour which contravened natural justice, just as, for Paine, the liberty of the press was distinguished from licence, and the majority of society had the right to form a government only so long as that government conformed to republican principles and the rights of man.

As early as 1775 Paine remarked "how little mankind are, in reality, influenced by the principles of the religion by which they profess to be guided" (II, p.32, c.f. A.S.A, II, pp.16-19), but he did not publish his attack on the Christian religion until 1793. He believed that the degeneration of the revolution in France after 1792 was due to two contrary religious trends; religious fanaticism which led to immorality, and the dechristianisation campaign which was pursued as a reaction to this. It was these features that led Paine to publish long-held anti-Biblical, and Deistical, beliefs, "lest we lose sight of morality, of humanity, and of the theology that is true" (A.R.I, I, p.464). "The just and humane principles of the Revolution, which philosophy had diffused, had been departed from" (A.R.II, I, p.514). Only of the period up to 1793 might it be said that Paine,

like other naturalists of the French Revolutionary era, failed to perceive the extent to which the American 'order and decorum',... which he attributed to natural goodness, were the inherited habitude of a Puritan liberalism, mindful of the dark impulses of the human heart, which strove not to make men masterless but self-mastered" (115, p.324).

The purpose of the Deism which Paine elaborated in the 1790s was, as was that for all religions, not to provide original truths but to encourage and lead people to a love of God and the practice of morality (L.E, II, p.747). Aldridge suggested that from

Condorcet and his associates Paine may have acquired the habit of analysing the miracles and mysteries of Christianity... Condorcet could at the same time have served Paine as a warning.... It is true, as some of Paine's critics objected, that only a minor part of the work is directed against atheism, but warning the French nation against godlessness might still have been his original purpose" (73, p.239) .

Clark, also, pointed out that Paine's religious writings might have been stimulated by the anti-Catholicism of his French acquaintances (95, p.xxv). But not only were Deistical beliefs expressed by several of Paine's friends outside France before 1792, for instance Franklin, Jefferson and the Englishmen Benjamin Vaughan and David Williams, but as has already been indicated (pp.40-2 & p.63 above) his own ideas were probably then already fully-formed.

Paine's attack on the Scriptures was two-fold; a moral rejection of the injustice and inhumanities which he found in the Old Testament, and a denial of the mystery and superstition of the Bible and its teachings, in contrast to the reason of natural philosophy and the natural universe. Several writers have pointed out that he only expressed, in less sophisticated language, the arguments that had been put forward by a long line of, notably English, Christian critics and Deists (205, vol.i, p.380; 164, p.299). However, Aldridge considered that whereas his predecessors attacked the Scriptures "only partially and by innuendo, Paine was the first author to make the direct statement that the Bible is not the word of God in clear, forthright language which the common man could understand and enjoy reading" (73, p.234). Metzgar's belief that Paine's original contribution to the attack was his view that revelation could not be taken on trust from another man without transferring a faith in God to a credibility in men (102, p.64, ref to A.R.I, I, pp.465-6), neglects a similar view of Hobbes' in Leviathan (46, p.426). Paine was only one of many people in the second half of the eighteenth century, particularly in France, who, because of conflicting interpretations of the Scriptures by different religious intermediaries, and because of religious persecution, first rejected ecclesiastical, for individual, interpretation of the Bible, and then rejected the Bible itself as the sole, or as the genuine, word of God (R.M.I, I, pp.292-3, L.A, II, p.1435). Paine was also a child of the scientific enlightenment in his admiration of the natural universe which contributed so much to the positive side of his religious thought. Scientific inquiry confirmed to him the dictates of his own conscience and reason, and, unlike predecessors such as Newton and Locke, for whom science was complementary to accepted religion, science was utilised by Paine against Biblical revelation.

Although he recognised that there might be many morally good religions, the only true religion for Paine was Deism, by which he meant

a belief in one God and, following from this, a respect for the creation as revelation, and the practice of morality (A.R.I, I, p.504). Deism was the first, the original, religion, and from his reading he believed that there had been a pre-Christian natural religion common to the Persians, Druids and Egyptians, which had been parodied by Christianity and preserved, in spite of Christianity, by the masonic tradition (R.L, II, pp.764-88, II, pp.830-41). Deism was the simplest of all religions, involving no creed, beyond the belief of a God, that could introduce complications, and opportunities for confusion and inconsistencies, for disagreements and so roles for interpretative intermediaries. This belief, which resembled Paine's belief about lawyers and the law, was well-expressed by his friend Volney in 'The Ruins', 1791 (ch.xxiv). Hence, as against Clark's derivation of Paine's political ideas from his system of religious thought, Poner could say with equal justification that "Paine's interest in religious issues was an essential part of his political thinking" (1, vol.I, p.461). Sykes was justified in stating that for Paine, although not for Deists such as Bolingbroke and John Adams, Deism

was the true religion of democracy, making every man his own divine; the enemy of democracy was revelation, which required an official priestly caste to expound its doctrine, and administer its sacraments. In its democratic aspect the deistic movement allied itself naturally with the republican revolutionary strand in political speculation (100, p.128).

(Paine) perceived clearly the perils of antinomianism inherent in the collapse of the established churches, and desired to prevent their realisation by allying republican democracy with an individualist deism, which in its turn could inculcate the complementary truths of individual freedom and personal responsibility.

'The Age of Reason' was therefore 'un livre de circonstance', and designed as a constructive and steadying force (despite its criticisms of orthodox Christianity) (ibid, p.129).

Conway too considered that Rights of Man and The Age of Reason were "really volumes of one work" (2, vol.iv, p.5).

For Paine, Deism was the basis, and the first article, of all

religious creeds.

There is one point of union wherein all religions meet, and that is the first article of every man's creed, and of every nation's creed, that has any creed at all. I believe in one God. Those who rest here cannot be wrong as far as their creed goes (L.A, II, p.1435, c.f, E.G, II, p.754 & p.757).

Deism could thus provide the same set of beliefs and precepts, and the same source of moral inspiration, uniformly to all mankind, and Paine's suggestion of a society for the comparative study of ancient religions led to Clark's belief that

in popularising the exotic researches of pioneer scholars like Sir William Jones and others, Paine was himself something of a pioneer populariser of the historical study of comparative religions and of the idea (which is perhaps the essence of deism) of the wisdom of transcending narrow sectarianism by reducing religion to those broad elemental principles which all nations and creeds have held in common (95, pp.xxxi-xxxii).

Thus, despite any superficial similarity between some of Paine's sincere religious beliefs and some of the dogmatic assertions of Robespierre's civic religion, Paine's Deism should be distinguished from the Worship of the Supreme Being which was inaugurated in France by a Convention Decree of May 7th, 1794 (21, pp.526-8). Originating in the compulsory civil religion suggested by Rousseau in the Social Contract (Bk.iv, ch.viii), Robespierre's civic religion was designed solely to ensure unity in the French nation and loyalty to the nation's state, and its dogmas were provided by the state, independently of, even if complementary to, personal religious and moral precepts. By civic religion Robespierre meant patriotism, and a profession of faith was an oath of allegiance, whereas for Paine, on the contrary, theology was intended to provide for each and every person proof of the existence of God, and the means to patriotism, by which he understood an attachment to the universal morality of which Deism, similar in this respect to Christianity, was a teacher. Paine's Deism thus lacked the severe and the theatrical aspects of the Worship of the Supreme Being - Article III of the civic religion prescribed

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punishment for all tyrants and traitors, and nine out of the fifteen articles were concerned with rites and festivals. He denounced Robespierre's religion as hypocrisy (73, p.216) and said in 1792 that national religions were nothing more than political craft (A.R.II, I, p.452). Deism, on the other hand, being universally valid and applicable, provided a foundation upon which Paine hoped an international society could be built.

During his stays in France Paine became interested in the lifelong influence of education, and in particular religious education, on moral beliefs and conduct, and after 1792 he clearly perceived a connection between moral education and social and political capacities.

The quick intelligence of Paine perceived the impossibility of controlling revolution within the narrow bounds of the abolition of monarchy.

To those who had not the benefits of his own 'exceedingly good moral education' (A.R.I, I, p.496) liberty could degenerate easily into licence (100, p.105).

Paine in fact always held in high regard the moral education provided by the Quakers (W.C.B, II, p.759).

He approved of demoting the place in education of classical studies, the aesthetic value of which he failed to appreciate (A.R.I, I, pp.491-2), but he retained a place for history although only because of the practical and, especially, the humanist values that were attributed to it by, for instance, Voltaire, Bolingbroke and Gibbon. Too "great an inattention to past occurrences retards and bewilders our judgment in everything", whereas "by comparing what is past with what is present, we frequently hit upon the true character of both" (C.P.III, I, p.74). History should be made entertaining, and, since it was philosophy taught by examples, the proper subjects for study were the morals provided by history, and the deeds of people who had gained lasting fame by their moral excellence. Paine himself intended to write a short history of the American war of Independence, as a school textbook, to be a contrast to the histories

of ancient wars and military adventures which "promote no moral reflection but like the 'Beggar's Opera', renders the villain pleasing in the hero" (II, p.1179). One general assumption that was held by many thinkers of the French enlightenment, was the belief that the Catholic Church in the Middle Ages had, to the detriment of human progress, retarded the advance of science by placing restrictions on scientific inquiry and rational debate; and Paine was nowhere a more faithful adherent to enlightenment thought than in endorsing this belief (A.R.I, I, pp.493-5).

"Liberality" was the "natural associate" of the sciences (ibid, p.495), and because of the interrelationships between organised religion and the restriction of freedom of inquiry and discussion, a religious change would, Paine believed, follow, and then help to uphold, political revolution. Paine emphasised natural philosophy in education partly because of its practical value in aiding material progress, and partly because he generalised from America's involvement with applied science, and in particular, from his own interest in science (A.R.I, I, p.496, II, p.1162) to the belief that the "human mind has a natural disposition to scientific knowledge and to things connected with it" (A.R.I, I, p.492). But his prime concern was with the beneficial moral influence of an increased knowledge of the physical universe and, so, of the nature of God.

It has been the error of the schools to teach astronomy and all the other sciences and subjects of natural philosophy as accomplishments only; whereas they should be taught theologically, or with reference to the 'Being' who is the Author of them....Man cannot make, or invent, or contrive principles; he can only discover them, and he ought to look through the discovery to the Author (B.G, II, p.750).

The traditional teaching of natural philosophy had, by neglecting the Creator, only contributed to atheism (ibid), while, on the contrary, the "chief motive for Paine's emphasis on science as the subject matter of religion was religious" (95, p.cv). Consequently education was not merely

the bestowing of factual knowledge by the teacher upon the pupil at an early age, but both sides should enter into the religious spirit of scientific inquiry and be prepared to learn and to be led to a continuous reflection, in societies such as ^{the} Theophilanthropist and Theistic Societies that were encouraged by Paine, to a continuing imitation in behaviour of the nature of God revealed through this study of His Creation.

2. Social Justice

The impression made upon Paine by the vast and untapped natural resources and the society of America, discussed in chapter four above, led to his vision of America as God's chosen land, in contrast to Britain where wealth was increasingly based on industry and commerce, and concentrated in ownership. No "man need want employment in America" (P.N.F. III, II, pp.199-200, c.f. ibid , p.203). There

are not three millions of people in any part of the universe who live so well, or have such a fund of ability as in America. The income of a common labourer, who is industrious, is equal to that of the generality of tradesmen in England....In America almost every farmer lives on his own lands, and in England not one in a hundred does" (C.P.X, I, p.203, c.f. R.M.II, I, p.451).

There was no need for Paine to elaborate either his religious or his social ideas while he was in America, where the issues of national independence and political construction were the most important. Abundant resources minimised social conflict, but a desire to prevent corrupt and costly government was of immediate concern. Indeed, according to Gilbert Chinard the pursuit of happiness could not, in the 1770s, have been proclaimed as a natural right, as it was in the Declaration of Independence, "anywhere except in a new country where the pioneer spirit dominated, where men felt they could live without being crowded or hampered by fierce competition, traditions and iron-bound social laws" (147, p.76).

However, there are instances of an interest on Paine's part, in

America, not only in economic matters but also in the matter of social justice. He suggested financing the war of independence by an import duty which was easy to collect and, instead of being allocated according to the utilitarian criterion of benefits received, would operate with the greatest equity and freedom of choice, with individual contributions proportional to ability to pay (I, p.183). The States should contribute to the expense of national defence upon the same principles (C.P.X, I, pp.204-5). Paine tried to reason the Rhode Islanders into accepting a national import duty for the payment of interest on foreign loans incurred by the Continental Congress. Besides stating that the impost would not endanger liberties, and was the most economical levy, he also argued that it "lights equally on all states according to their respective abilities" (R.I.L.II, II, p.342), since it extended to the Rhode Island merchants who had previously escaped the burden borne by the farmers of the other states (R.I.L, IV, II, pp.353-4).

In 1785 Paine became involved in a controversy over the intention of the radical Pennsylvania legislature to withdraw a charter that had been granted to the Bank of North America, which had originated in a suggestion of his for financing the war. The radicals wished to deny the bank the legal right to issue paper currency, in order to make acceptable the state issue which was intended to alleviate the condition of the western debtor farmers. Paine has been charged by Clark with conservatism for this support for the bank which was alleged to favour the creditor class (96, passim; 97, pp.lxxii-lxxv), although it has been pointed out by Foner that Paine was a spokesman for the urban artisans and mechanics as well as for the wealthy creditors (1, vol.i, p.xxv & vol.ii, p.368); and although it has been argued by Aldridge that the reason for Paine's stance was concern about the arbitrary political powers exercised by the legislature in treating fixed contracts or charters as legislation; "he consistently defends property rights by

human rights and nowhere suggests that he would sacrifice the latter for the former" (6, p.315), or as Parrington said of Paine's close disciple Joel Barlow, he "flatly denied that the primary function of the state lay in the protection of property interests; its true and lies in securing justice" (162, p.385). Paine also criticised the legislature for deciding its course of action without having first given the promised fair hearing to the bank (D.G, II, p.389). Quite simply, he did not recognise any opposition of interests between the agrarian debtors and the creditors; he attempted to demonstrate that the whole community benefitted from the bank which facilitated state commerce by quickening the circulation of money, and thereby prevented oligopoly among purchasers of farm produce (L.B.I, II, p.416, L.B.II, II, p.424). The bank collected money which would otherwise remain unused, and instead of aiding a few large projects, which would have to have been guaranteed by people with considerable existing property, lent it for short periods, so assisting many people in small-scale developments (D.G, II, p.392, L.B.V, II, p.431).

Another reason for Paine's support of the bank was his belief that the only legitimate form of paper money was specie-backed currency; that is, paper money as promissory notes, in contrast to the non specie-backed money which the state intended to issue. His preference here did not so much reveal his "commercial class consciousness" (95, p.lxxvii), but rested on a recognition of the importance of money as a nexus in society, and on moral and political considerations. Paper money undermined the basis of society because of its inflationary tendency which, Paine explained in Case of the Officers of Excise, was inequitable because of differential price increases between commodities. "The mechanic and the labourer may in a great measure ward off the distress by raising the price of their manufactures or their work, but the situation of the officers admits of no such relief" (C.O.E, II, p.5). What Aldridge called

"a forceful presentation of the hardships consequent upon fixed incomes during inflationary periods" (73, p.22) was repeated by Paine in Crisis Paper III (I, pp.97-9) and in his suggestion that the financing of government expenditure by taxation, rather than by the issue of paper money, ensured the most just allocation of the burden (L.R, II, pp.228-9). Inflation also encouraged the speculation and profiteering which Paine officially investigated in Pennsylvania in 1779, and which fostered mutual suspicion and the dissolution of trust. The uncertain fluctuating value of paper money "is continually awakening or creating new schemes of deceit. Every principle of justice is put to the rack, and the bond of society dissolved" (D.G, II, p.407, c.f.ibid,p.412), and thus "tender laws of any kind operate to destroy morality, and to dissolve, by pretence of law, what ought to be the principle of law to support, reciprocal justice between man and man" (ibid, p.408). Paine referred to the instance of the Speaker of the Pennsylvania Assembly who gave his vote for the repeal of the tender laws "from a consciousness of justice; the tender laws operate to establish inequity by law" (ibid, p.408).

Furthermore, not only did the overissue of paper money lead to "depreciation both of money and morals" (6, p.311), but also a few people were enabled to benefit economically and politically from it and from a funded national debt, in the form of government contracts, jobs, offices and places gained through becoming government creditors, all of which, along with the interest paid on the loans, were financed out of public taxation (P.R.II, pp. 623-4 & p.632). "The consequence of the funding system....will be to create two violent parties in the nation. The one, goaded by taxes continually increasing to pay the interest, the other reaping a benefit from the taxes by receiving the interest" (P.R.II, p.642). Although he had already effectively suggested the idea in 1787 (P.R.II, p.642), Paine, in The Decline and Fall of the English System of Finance, 1796, demonstrated a law of increasing national debt and inflation

leading to national bankruptcy (II, p.669), and his prediction of the bankruptcy of the English government was followed by the suspension of cash payments by the Bank of England for the first time, in February, 1797.

One further argument against a funded national debt, put forward by Jefferson in 1789 (3, vol.xv, pp.392-3) and hinted at by Paine, was the idea that, like hereditary monarchy or a perpetual constitution, a debt incurred by one generation, which imposed continuing interest payments, encroached upon the rights of future generations for it "anticipated what 'would have been' a resource in another generation" (D.F, II, p.665, c.f. 18th.F, II, p.611)

Paine's return to Europe in 1787 recalled to him the rural dispossession and urban exploitation, the social inequalities and distress which he had observed before 1774, and which contrasted so unfavourably with conditions in America (II, p.464). Clark considered that Paine's "humanitarian feeling toward the unfortunate generally seems genuine enough to have arisen from his observation of actual conditions" (95, p.lxxxii); he "often has a poignant sense of the evils of poverty which could only come from first-hand observation" (ibid, p.xciii) . Paine suggested at first that political reform in France, and a changed popular disposition of Britain towards France, might secure peace, make reductions in military expenditure and taxation possible, and so relieve the poor. But whereas a belief in a connection between improved foreign relations, or Parliamentary reform, and social improvement, represents the full extent of the social thought of most agitators in Britain, Paine has been considered to have been "one of the very few who proposed means to improvement beyond insistence on annual Parliaments and universal suffrage" (195, p.139) since, for most people, although "the spirit of discontent was mainly due to economic distress, the need for economic reform was only dimly appreciated, the target was political reform" (ibid).

Paine arrived in England from France in early July, 1791, and by July 12th, he had completed an article in which he said that one subject closely connected with the science of government "has never received the full consideration it deserves; namely, how small is the measure of government that is actually required by man. This question is fully discussed in a work I am now writing" (A.F.Q, II, pp.528-9). This was Rights of Man II which, in chapter five, contained Paine's first extensive social suggestions, and which was largely completed by September, 1791. He mentioned that he had considered including the new material, in Rights of Man I (R.M.II, I, pp.348-9), and he had, in August, 1791 spoken of a "moral obligation of providing for old age, helpless infancy and poverty" (A.D, II, p.535). Consequently, although contact with English reformers, and the success of his writings among working-class people, might have encouraged him to publish his social ideas in February, 1792, he was already interested in social reform. As in the case of his religious thought, what moved him to publication was the political implications of his social observations, for he wrote in opposition to the political privileges that were claimed for the aristocracy by Burke who saw the landed class as "the Corinthian capital of polished society" (R.M.II, I, p.412, from 27, p.153). Burke abhorred the confiscation of the land of the first two estates in France, and in his Appeal from the New to the Old Whigs, 1791, he upheld the House of Lords as the "great ground and pillar of security to the landed interest" (R.M.II, I, p.410, from 29, vol.v, p.81). Sectional power, according to Paine, led to partial legislation. Socially privileged people manipulated political power in order to maintain their privileges; "He who has robbed another of his property will next endeavour to disarm him of his rights, to secure that property" (D.F.P, II, p.582). Thus the English aristocracy, through their importance in Parliament, largely exempted themselves from taxation (R.M.II, I, pp.410-3). Furthermore, since all people were interested in reaping the fruits of the land, not only did the landed aristocracy not

need political privileges, but neither were they economically necessary or socially useful (R.M.II, I, pp.410-3).

The unjust distribution of the social product occasioned by the existence of a privileged aristocracy led Paine, in Rights of Man II, to an analysis of the concept of civilisation which, he observed, implied prosperity and felicity (I, p.398). He stated that the principles of civilisation, in terms of stability, order, and peace, needed to have universal operation if the material benefits of such civilisation were to operate and apply fully. Since governments were uncivilised in their relationships with one another, and so imposed taxation, unjustly allocated, for national defence, so they "pervert the abundance which civilised life produces to carry on the uncivilised part" (ibid, p.399). Paine doubted whether ordered and industrialising societies could be called civilised if poverty existed in them; civilisation involved not only internal social stability, but also the material benefits of such stability, for, given productivity, there should on the precept of just deserts be an adequate standard of living for all citizens.

In Rights of Man II Paine suggested reductions in certain public expenditures and taxation in Britain, and proposed social welfare schemes such as financing education and extending a grant to each woman at the birth of her child (I, p.415-43). His schemes were based not on departures from, but on applications of, his general ideas of justice and humanitarianism. Besides replacing the poor rate by a tax on the interest paid on the national debt, the commutation tax was to be replaced by an annual progressive tax on the value of estates (ibid, pp.433-9), in order to shift the tax burden to those people who could most easily bear it, and thus institute justice not only between families but also with propertied families. For by placing a ceiling on the size of profitable estates, the tax would discourage the unjust practice of primogeniture which, Paine further believed, was responsible for political place-seeking and electoral corruption (ibid, p.437). The scale of the tax-rates would deter the

unproductive use of land and the accumulation of it by bequest, but not by individual labour. Paine also proposed pensions for the elderly poor as a right, by treating taxation as a tontine (*ibid*, pp.426-7), and apart from stating that considerably unequal rewards to different members of the same profession implied injustice (*ibid*, p.442, R.M.I, I, p.290), he suggested that "Humanity dictates a provision for the poor" (*ibid*, p.393), and it is in this light that one should see his remark: "I am a friend to riches because they are capable of good" (A.J, I, p.617). He did not, before 1795, hold that to provide for the welfare of its citizens was an obligation of society, but only that social welfare expenditure was, on the grounds of need or just deserts, morally superior to, for instance, lavish court expenditure (R.M.II, I, p.413 & p.429, A.D, II, p.535).

Paine never disagreed with the belief expressed by an English revolution society in 1792:

surely the Interests of all the Industrious, from the richest Merchant to the poorest Mechanic, are in every Community the same - to lessen the numbers of the Un-productive, to whose maintenance they contribute, and to do away such Institutions and Imposts as abridge the Means of Maintenance by resisting the Demand for labour, or by sharing its Reward (18, vol.xlix, p.685).

But in Agrarian Justice, 1795-6, Paine turned the focus of his attention from the question, how to alleviate urban distress, to an investigation of the rural origins of, and the reasons for, that distress; and in so doing he significantly extended his ideas concerning social justice (2). Paine moved to a new application of natural rights philosophy, and to considerations of social conscience and justice that were independent of humanitarianism, social sympathies, and the just allocation of taxation. Just as he wrote The Age of Reason against the extremes of atheism and religious fanaticism in France, so he wrote Agrarian Justice against the extremes of unjust social inequality and the agrarian law or land redistribution that had been proposed by Babeuf in his Plebian Manifesto and Tribun du Peuple and in the Conspiracy of the Equals, during 1795-6 in France.

Paine said that Agrarian Justice was published in order to counter the sermon of Richard Watson, Bishop of Llandaff, on "The Wisdom and Goodness of God in having made both Rich and Poor" (A.J, I, p.609). He opened the pamphlet with a condemnation of the injustice and inhumanity of societies the present state of which was "as vicious as it is unjust" (A.J, I, p.617, c.f, ibid, pp.609-10), and the practices of which "unjustly obtain the name of civilised" (ibid, p.618). He mentioned primitive society where there was neither luxury nor poverty, and concluded that poverty, therefore, was "a thing created by what is called civilised life. It exists not in the natural state" (ibid, p.610). Political reform should, while preserving the benefits of natural society and civil society, eliminate the abuses of government; and social reform should, equally, "remedy the evils and preserve the benefits that have arisen to society by passing from the natural to what is called the civilised state" (ibid). Only upon such social reform could any society, in Paine's estimation, be called civilised.

The first fundamental and universal principle of civilisation was "that the condition of every person born into the world, after a state of civilisation commences ought not to be worse than if he had ~~not~~ been born before that period" (ibid, p.610 & p.606). In line with his earlier statements about the vacant western lands belonging not to any particular states but to the American nation as a whole, Paine expressed the view, similar to Locke's, that there was a natural condition of society in which each and every person had as a natural right a claim to a share in the ownership and the fruits of the land :

It is a position not to be controverted that the earth, in its natural, uncultivated state was, and ever would have continued to be 'the common property of the human race'. In that state every man would have been born to property. He would have been a joint life proprietor with the rest in the property of the soil, and in all its natural productions, vegetable and animal (ibid, p.611, c.f, 50, pp.303-4).

Consequently, everyone had an equal natural right, not to an equal opportunity to appropriate property, which allowed a competitive struggle

and the ascendancy of the strongest, but to exert his labour on the common inheritance of resources, and Paine perceived this distinction between power and right as early as 1779 (P.M.F.II, II, pp.198-9). Thus, as was suggested by his condemnation of primogeniture (R.M.I, I, p.288), behind equal economic rights lay equal needs, and so the reason why the basic needs of some people in society were unsatisfied was, in principle, unjust distribution of goods. This state of affairs was the responsibility of society. However, both the idea of equal needs, and the belief that there could be resources adequate for the support of equal rights in a natural state, were derived essentially from Paine's belief in the benevolence of God, rather than from generalisation from resources and underpopulation in America which might, nonetheless, have confirmed him in his belief. Paine postulated from a religious standpoint that everyone should "inherit some means of beginning the world, and see before them the certainty of escaping the miseries" which accompanied old age under the old regimes (A.J, I, p.622); "all individuals have legitimate birthrights in a certain species of property" (*ibid.* p.607, c.f. *ibid.* p.609). Through his repeated attacks on the principle of a property-based suffrage, Paine, like Adam Smith, believed that "the faculty of performing any kind of work or services by which he acquires a livelihood, or maintaining his family, is of the nature of property. It is property to him, he has acquired it" (D.F.P, II, p.581, c.f.67, p.110). A right to property implied then, of itself, a right to the exercise of one's labour. Consequently Paine's specific assertion in 1795 of a right of each person to a basic subsistence, which constituted a claim against society, was not a radical departure from, but had always been inherent in, his earlier thought on religion, society and politics; "La propriété de ceux dont je parle, consiste dans leur droit et dans la faculté de procurer à eux et à leur famille une subsistence. Or leurs droits et leurs familles sont une nature de propriété quoique différente des propriétés ostensibles et distinctes de l'individu" (10. pp.114-5).

The earth in its natural state could not support too large a population for, although generous in resources, nature was niggardly in making them immediately available. The productivity of technology, combined with effort, was necessary if a large population was to be maintained, and so civilisation could not be abandoned (A.J, I, p.610). Cultivation was "at least one of the greatest natural improvements ever made by human invention. It had given to created earth a tenfold value" (*ibid*, p.612). Land enclosures improved productivity, but these did not bestow a right to appropriate the land or all its product. For although he saw that it was in practice difficult to separate the improved value of the land due to cultivation, from its original value, Paine, unlike Blackstone for instance (24, Bk.ii), believed that in principle only the additional value due to cultivation should be private property (A.J, I, p.611). Consequently, he did not uphold land redistribution but he did hold that landed proprietors owed society a ground rent, which could most practicably be collected as a land inheritance tax, which would then provide a national fund for the indemnification of people whose natural right to a share in land had been expropriated (*ibid*). The establishment of such a fund, and its distribution to all people when they first started out upon the world, was an issue of right (*ibid*, p.618), since

Man did not make the earth, and though he has a natural right to 'occupy' it, he had no right to 'locate as his property' in perpetuity any part of it (*ibid*, p.611). Every individual in the world is born therein with legitimate claims on a certain kind of property, or its equivalent (my emphasis) (*ibid*, p.606).

Paine's taxation and distribution proposals thus legitimised landed property necessitated by practical considerations and, in particular, by the needs of society. In contrast to the attack made upon him by Thomas Malthus in An Essay on Population, 1798, based upon the belief that over-population, and not bad government or social structures, was responsible for social misery (51, pp.190-3), Paine, because of his belief in Divine

benevolence, could assume not only that a primitive society would be self-sufficient, but also that, through natural philosophy, the needs of a large population could be provided for by technological progress.

A general perspective can be lent to the account of Agrarian Justice given so far. While he was in America Paine could acquiesce in the general belief in a natural right to landed property, because of the abundance of land and the extent of social mobility; but in Europe he was constrained to consider property according to the manner of its acquisition and use, and not confine himself to occupation alone. He accepted Locke's idea that property was based on labour (50, pp.305-9), Locke's first principle of the limitation of property - that there should be "enough and as good left for others" (ibid, p.309) - and his approval of productivity (ibid, p.312). But he might also be held to have advanced beyond Locke in his recognition that the fruits of the land were not in fact being distributed justly. Technological advance, especially land enclosures, undertaken because of the pursuit of self-interest, should to a greater extent be restrained by the requirements of justice, so that the inequality of material rewards which followed from the distributive criteria of merit and effort should not contravene the first principle of civilisation or the right of all individuals to subsistence. Just as Paine saw political justice as the recognition of natural rights and of the civil rights gained in an exchange for some natural rights, so he saw social justice as the making good of the loss of the economic rights of individuals by establishing compensating claims on society. He stressed that his proposals in Agrarian Justice were based not on charity, humanitarianism, or utility, but on right, and so on justice (I, p.606, p.612, p.617, p.618 & p.619), and, as for the issue of political justice, "it ought not to be left to the choice of detached individuals" (ibid, p.618) who were susceptible to the "captice of temper and self-interest" (L.H.I, IV, 11, p.356), "whether they will be just or not" (A.J, I, p.618). Consequently, Paine's social proposals

were have been described by Charles Merriam as "an excellent illustration of the flexible character of 'natural right' philosophy" (131, p.401), and they demonstrate David Raphael's view that the claim of justice for equal treatment is not a purely negative claim for the removal of arbitrary inequalities, for in addition it is "substantive and positive, relating to a combination of qualities possessed by all human beings and to a measure of equal satisfactions that are considered due to them in the light of their possession of common human qualities" (242, p.194).

Paine was not unique in those of his social ideas that have been discussed so far. In 1785 Jefferson applied to the right to labour, as well as to the rejection of perpetual constitutions and to the device of a funded national debt, his belief that the earth belonged "in usufruct to the living" (3, vol.viii, p.682); and a Decree on Public Relief was passed by the French Convention on March 19th, 1793, which, while denying agrarian law, proposed "a new system of public relief on the eternal bases of justice and morality" (21, p.439). The first principle enunciated by the decree was that "every man has a right to his subsistence through work, if he is physically fit, and through free aid if he is incapable of working", while a further principle was stated that "the care of providing for the maintenance of the poor is a national obligation" (*ibid*). These principles, and a condemnation of economic subservience, were followed through in Articles X-XV of Robespierre's Proposed Declaration of Rights, of April 24th, 1793 (*ibid*, pp.431-2). However, just as Paine diverged from the totalitarian aspects of the political and religious proclamations of the French revolutionaries, so he also avoided not only the illiberal and theatrical elements of their social proposals, but also those parts which were inimical to acts of personal virtue⁽³⁾ He continued to praise benefit clubs and private acts of benevolence as well as the public welfare measures which he saw as increasingly necessary in cases such as those as the aged and physically deprived (R.M.II, I, p.424, A.J, I, pp.617-9, W.C.B, II, p.758], a position

which, according to Clark,

points toward the sociological liberalism of the on-coming nineteenth century industrial society. And as such...Paine sponsored a line of thought which was to find expression in Bentham and Mill on one side and the Chartist Movement on the other (95, p.lxxx).

(Paine was) one of the first to realise that the social problem of his time had become too large for private philanthropy (and) his analysis of the changed situation as early as 1792 is remarkably acute, and is essentially sound today (ibid, p.lxxxiv).

Another question now arises. How far did Paine's observations lead him to reflections on social justice that went beyond the application of natural rights ideas to past socio-economic trends, and involve a degree of original perception of some of the practical and philosophical implications of developing industrial society?

Metzgar considered that although Paine "began however vaguely to discover the implications of a predominant *laissez-faire* economy" (102, p.120), he "still viewed the question of wealth and poverty in the old terms of landed property. Therefore he proposed a mild agrarian solution with additional programmes of reform and relief" (ibid, p.124). For Sykes, although Paine's "diagnosis of the social evils of the past was full of penetration, and his prescription of remedies characterised by sapient and constructive suggestion" (100, p.III), "he did not propose to tax the industrial magnates, nor did he perceive the evils of 'laissez-faire' in the field of industrial development" (ibid, p.138). However, above and beyond Paine's views about land in connection with natural rights, was his proposal in Agrarian Justice that an inheritance tax should be applied to personal, non-landed property, following from his view that such property, arising from increased productivity, had a social origin and cause, so that all members of society should share in it.

Personal property is the 'effect of society'; and it is as impossible for an individual to acquire personal property without the aid of society as it is for him to make land originally. Separate an individual from society, and give him an island or a continent to possess, and he cannot acquire personal property. He cannot be rich. So inseparably are the means connected with the end, in all cases, that where the former do not exist, the latter cannot be obtained. All accumulation, therefore, of personal property, beyond what a man's own hands produce, is derived to him by living in society; and he owes on every principle of justice, of gratitude and of civilisation, a part of that accumulation back again to society from whence the whole came (I, p.620).

Although this idea applied equally to landed estates, Paine stated it with specific reference to industry, and he distinguished it from the notion of deliberate under-payment of workers (ibid).

This new development in Paine's thought was a logical extension of his earlier indications of the social element in created wealth in his accounts of the division of labour, specialisation and co-operation in society as a whole - "No man is capable without the aid of society, of supplying his own wants" (R.M.I, I, o.357) - the national ownership of the vacant western lands in America; the economic inter-dependence of all individuals in a society (S.A.L.I, II, p.282), and society, as an economic system, as similar to any mutual association in which a common accumulated stock of, for instance, knowledge, was shared in by every member. The originality of Paine's conception of the social product can be seen by contrasting it with the superficially similar suggestion by Franklin, in 1783, that property right was based on those essential needs which could be supplied individually, while all remaining wealth was dependent on the security and order provided by society and, so, belonged to that society (4). Paine instead saw property right as based on personal labour, and he saw that much property was, in effect, the product of collective economic organisation, despite the concentrated ownership of the means of production, and despite the practical consideration that it was "perhaps impossible to proportion exactly the price of labour to the profit it produces" (A.J, I, p.620). So he proposed a tax on personal property, and distribution of

the receipts in various welfare schemes, while he again emphasised that these proposals were not issues of utility but of social justice. Paine might thus be seen as further going beyond Locke whose second limitation on property accumulation, contained in the phrase "as much as anyone can make use of to any advantage of life before it spoils" (50, p.308), was in effect overturned by his acceptance of the validity of a general convention which exempted money as a non-perishable store of wealth (ibid, pp.319-20). Paine would have endorsed the first part of Locke's limitation, if only because of the implication that the acts it was designed to prevent were an offence to God's generosity to man. But also he observed that the existence of money, and the goods which it purchased, permitted in a free economy the social injustice which resulted from the appropriation not only of the rights of the landless by the large landowners, but also the appropriation of the social element of created wealth by landowners and industrialists alike. Paine's analysis now suggested that not only had an individual a natural right to a minimum standard of living, through his share in the original common stock of land, but also that the individual, as a member of society, had a right, by desert, to a share in the abundance which that society made possible through the productivity arising from co-operation.

The main continuing theme of Agrarian Justice can be summarised as the belief that property rights must be founded in justice; both the produce of landed property and created wealth should be distributed according to rights, tempered by humanitarian considerations, and this necessitated continued state intervention in the form of taxation and welfare schemes in order to counter the problems posed for the maintenance of social justice by demographic developments and economic growth, and by the practical considerations that these involved. This theme is distinguishable from the humanitarianism by reference to which alone Clark and Parrington interpreted Agrarian Justice (95, p.431 & p.lxxxviii: 162. p.33

c.f. 100, p. 137), despite Paine's assertions that justice and humanity together were the "foundation principles" of his pamphlet and that these were distinguishable from a mere matter of prudence (5). Locke's concern for securing the property rights of individuals against government perhaps prevented him from investigating not so much social function or utility, but rather the general social origin and just distribution of, all forms of property. Thus, while Paine maintained in 1797 that "it is the equality of rights and not of fortune which is the principle of equality" (110, p. 77), and said "That property will ever be unequal is certain.... All that is required with respect to property is to obtain it 'honestly', and not employ it 'criminally'" (D.F.P., II, p. 580), he nevertheless applied to industrial society more rigorously than did Locke the belief that property right was acquired by the exercise of personal labour. His approach would necessarily reduce the inequality in the accumulation of personal wealth that was possible under Locke's conditions. In other words, technological progress was, for Paine, morally legitimate not only so long as no one was worse off because of it, which was his first principle of civilisation (A.J., I, p. 617), but also only so long as the whole of society benefitted by it. It is on the basis of this idea that we can understand his statement that the observation of a combination of wealth and poverty in a society, while it aroused sympathy, also suggested that some injustice was being perpetrated, and it was indeed this kind of observation that stimulated his own social thought (*ibid.*, pp. 618-9)

It was Kingsley Martin's belief that

(the) most remarkable of all of Paine's claims to fame is that he, a man of middle-class origin himself, saw the distinction between the old and the new forms of property, and advocated the rights of private property, not as the utilitarian in practice did, for the advantage of the new industrial capitalists, but also for the wage-earner whose only property now was his labour (101, p. 22).

But although Paine in fact moved in the 1790s from a proposal of minimal government functions to one of extensive social welfare obligations, from

"immoderate radical republicanism to moderate social radicalism" (198, p.132), this change was not because of a development in his views about human nature or in his basic political thought, but chiefly because of a change in his social environment. He did not see his social proposals as inconsistent with his minimisation of the need for government as the costly, bureaucratic, coercive body that was prescribed by the Tory philosophy, and only in this light can be understood his statement made at the time that he was writing "Rights of Man II": "I am strongly inclined to believe very little government is necessary" (A.F.Q, II, p.529). Paine elaborated the social implications of his religious assumptions, and extended the application of his natural rights ideas, for in

a pioneer society, with an abundance of free lands, the individualistic interpretations of the functions of government were not without their progressive, liberal connotations; but in an industrial stratified society, the case was quite different, for there Locke's highly individualistic, laissez-faire conception of government, and his regard for property rights, could only check the development of social legislation and sanctify the accumulation of corporate wealth (176, p.151).

Socio-economic development within societies must be expected, as must the divergence of Europe from America, but it would, in fact, also be one implication of Paine's own ethic of activity and his interest in progress, although moral and not material considerations caused him to reject agrarian law, and to uphold the concern of Shay's rebellion in Massachusetts in 1786 - a desire that all citizens, while accepting just inequalities in wealth, should obtain their rightful share in the fruits of a developing economy.

A complete assessment of Paine as a social thinker must go beyond consideration of his idea of social justice; it cannot be based on his taxation proposals alone, despite Clark's belief that his suggestion for an income tax "antedated by thirty-five years any serious consideration of the tax as a definite policy of government finance" (95, p.xc), or on his welfare schemes; - "The inheritance tax....was a common form of taxation long before Paine's day. His chief contribution, however, was

the social purpose for which he wished to expend his income and inheritance taxes" (ibid, pp.xc-xci). For, on a practical level, Paine believed not only that a political reform was required before social reforms could be implemented, but also that social reforms were in fact essential for the success of political reform. He connected vice and ignorance with the physical situation of men as early as 1774; "Nothing tends to a greater corruption of manners and principles, than a too great a distress of circumstances" (C.O.R, II, p.8); "the most effectual method to keep men honest is to enable them to live so" (ibid). Paine did not take up the full significance of these remarks until the 1790s, when he asked

Why is it that scarcely any are executed but the poor?
The fact is a proof, among other things, of a wretchedness in their condition. Bred up without morals, cast upon the world without a prospect, they are the exposed sacrifice of vice and legal barbarity (R.M.II, I, p.405, c.f.W.C.B, II, p.763).

In consequence, Paine wrote Rights of Man II which, he said,

abounds with principles of government that are uncontrovertible.... with plans for the increase of commerce and manufactures - for the extinction of war - for the education of the children of the poor - for the comfortableness of the aged.... - in short - for the promotion of everything that can benefit the moral, civil, and political condition of man (L.A.A, II, p.479).

The wisdom and benevolence of God were demonstrated by the close relationship between social justice and social and political prudence. Physical well-being, as one precondition of individual manners and morality, as well as of knowledge, was a prerequisite of a stable republic - as early as 1774 Paine had suggested giving negroes land, allowing them to enjoy the fruits of their own labour, and the same family life and civil protection as others, so that they might "become interested in the public welfare, and assist in promoting it, instead of being dangerous" (II,p.19). Accordingly, rather than suggest the application of severe justice to remedy the moral evils of contemporary civilisation, he made economic and education proposals in the 1790s, in line with

his conception of social justice, which would remove the physical evils from which moral, social and political evils arose.

Paine recommended industrial development in America (M.A.II, pp.1109-1113, II, pp.1021-5,3, vol.xv, p.194), and he did not endorse the agrarian policy which, in a milder form than the policy of Jefferson, has sometimes been attributed to him (96, p.xxix; 102, p.124) and which should at any rate be distinguished from the physiocracy with which it has sometimes been confused (162, p.337; 96, p.xxviii; 122, pp.205-6). Jefferson did not argue that the origin of all value was land which, in large estates, could be subjected to a single tax; instead he saw, in for instance his Notes on Virginia, 1781-2 (c.f.49, pp.633-4), the political benefits of an agrarian society of independent and responsible small-property holders, in contrast to the evils of industrialised society with its urban mobs, vice, and political submissiveness. Industrialisation was responsible for the failures of political reform in Europe, and it has been said that "it was against an agrarian background" that Jefferson "saw his ideal of American democracy most clearly" (179, p.658, c.f.182, passim), although by 1810 he had come to accept a balance of agriculture, industry and commerce as necessary in order to secure American economic independence from a corrupt Europe. Paine, however, was neither a physiocrat nor an agrarian. He realised by the 1790s that social legislation must do in Europe what, in Jefferson's ideal, free lands and underpopulation could do in America. In the context of this difference can be assessed Metzgar's judgment about Jefferson :

(His) insights into contemporary currents were much deeper than those of Paine (102, p.124); Paine saw and experienced only the symptoms of the rapid urbanisation and industrialisation. Therefore he proposed cures for the symptoms, seemingly oblivious to the actual systematic disease. In this respect he was rather naive in comparison with some of his contemporaries. In another respect, however, he was much more practical in devising some of the means to reform a system not necessarily nor eventually devoid of benefit (ibid, p.126).

In his fear of the moral and social decay consequent upon industrialisation,

Jefferson did not envisage a liberal acquisitive ethic in American society which might reconcile the pursuit of interest with an observance of natural justice. Paine, on the other hand, while taking such a reconciliation for granted when he was in America, saw in Europe in the 1790s that in the absence of free lands and of a common ethic, the interests not only of the aristocracy, but also of the enterprising industrial class, were being pursued in a manner contrary not only to social justice but also to the economic well-being and the political capacity of the majority of the people. Consequently his social proposals were more forward-looking than were those of Jefferson. For although in his opposition to primogeniture and to social privilege (A.R.II, p.546), Paine might still be considered to be a latter-day adherent to the belief of James Harrington that political power followed the distribution of landed property, he nevertheless believed that, given his own social proposals, republicanism was compatible with an industrial society rather than just with an agrarian society (6). The political and economic independence of citizens did not, in other words, depend on the individual ownership of land.

Paine's perception of the connections between the moral and political circumstances in society is nowhere more evident than in his support for practical education. Apart from the importance of natural philosophy for revealing the principles of applied science, and, especially, for instructing people "in their duty to God, and the practice of morality" (II, p.1500), education was also concerned with imparting practical skills and trades (R.II, I, pp.425-6) and a general ability to understand the social and political environment. A general education was a "good and useful learning" (II, p.1500), and Paine praised his own Quaker education, not only for its moral instruction, but also because it bestowed "a tolerable stock of useful learning" (A.R.I, I, p.496). Education thus enabled people both to satisfy their material needs, reducing their economic dependence and the incidence of vice, and to be sufficiently well-informed politically to resist despotism and

operate a representative system. The Pennsylvania Radicals who opposed the Bank of North America, for instance, were more concerned "to keep the country low and poor, that they may govern it the easier, than to see it prosperous, and beyond the reach of their influence" (L.B.VI, II, p.438, c.f.ibid, II, p.433), and Paine followed Commonwealthmen such as James Burgh in the observation that economic subservience in practice reduced the political independence of the franchise in Britain (R.M.II, I, p.409). Furthermore, despotic government

supports itself by abject civilisation, in which the debasement of the human mind and wretchedness in the mass of the people, are the chief criterions. Such governments consider man merely as an animal; that the exercise of intellectual faculty is not his privilege; 'that he has nothing to do with the laws but to obey them', and they politically depend more upon breaking the spirit of the people by poverty, than they fear enraging it by desperation (A.J, I, p.621).

Only after his experience of Britain and France in the early 1790s did Paine convert his lifelong belief in a connection between ignorance and despotism, or between reason and republicanism (S.A.L,II, II, pp.289-90), into the positive belief that "a nation under a well-regulated government ought to permit none to remain uninstructed" (R.M.II, I, p.428), and into the practical proposal: "let us devise means to establish schools of instruction, that we may banish the ignorance that the 'ancient regime' of kings and priests has spread among the people" (W.C.B, II, p.763).

Consequently, Kingsley Martin said; "men like Paine and Condorcet saw that the state must engage in positive social and economic activity if equality and liberty were not to be the sole perquisites of the propertied class" (214, p.303). However Paine, like Locke, Rousseau and Godwin, believed that education should be private, even if it was financed in certain cases by the state (R.M.II, I, p.425 & p.428), and in this belief he differed from Condorcet who, because of a concern about the connections between poverty, ignorance, and political awareness and activity, proposed public education in his Report on Education to the

Legislative Assembly on April 20th-21st, 1792: "To offer all individuals of the human race the means of providing for their needs, of assuring their well-being, of knowing and exercising their rights, of understanding and performing their duties" (21, p.347). Article XXII of the Declaration of the Rights of Man and Citizen, of June 24th, 1793, stated: "Education is necessary for everyone. Society must promote with all its power the advancement of public reason; and must place education within reach of all citizens" (21, p.457), and this Declaration was followed by a Decree Concerning Public Education, on December 19th, 1793, which proclaimed free public education. Paine, again, rather than follow the optimistic, and perhaps illiberal, aspects of French proposals, with respect to "perfecting" individuals' skills, establishing among citizens "an actual equality", and rendering each person "capable of the social function to which he has a right to be summoned" (*ibid.* p.347), viewed education from a practical and moderate standpoint. The message of the Serious Address Letters, for instance, was, said John Meng, that :

social order and governmental stability result naturally when citizens of a state bring to the solution of their common problems intelligence and informed judgement..... sound and stable government requires for its existence an educated citizenry able to apply an informed intelligence to the problem of group living (129, pp.297-8).

For Clark,

The important point to keep clearly in mind is that, like Jefferson, Paine insisted that his faith in democracy, in the ability of the people to operate their own government for their own good, as being superior to monarchy, depended squarely upon his faith that the people could be educated, could acquire the knowledge of political affairs and needs which he deemed essential (95, p.cvi).

3. Internationalism

Paine, because of his views on religion, morals and human nature, reviewing the contemporary hostile condition of international relations and influenced by the concern of his friends such as Franklin and the French philosophes, had a life-long interest in international peace. He sought, for instance, to encourage improved Anglo-French relations

in the late 1780s and up until 1793, and after 1795 he became involved in promoting peace and security on a world scale.

Commerce played an important part in Paine's system of ideas, not only because it facilitated the development of material resources but also because, as the divine distribution of natural resources necessitated, it encouraged social contact and co-operation and so peaceful relations. The operation of interest in international commerce was not itself moral, but it could have a beneficial moral effect -

In all my publications, where the matter would admit, I have been an advocate for commerce, because I am a friend to its effects. It is a pacific system, operating to unite mankind by rendering nations, as well as individuals, useful to each other....the invention of commerce....is the greatest approach toward universal civilisation, that has yet been made by any means not immediately flowing from moral principle (R.M.II, I, p.400).

Like Adam Smith who said in 'Wealth of Nations' that commerce "ought naturally to be, among nations, as among individuals, a bond of union and friendship" (67, vol.1, p.436), Paine recognised that each of the parties benefitted from an exchange, by the reciprocal increase in the value of products that arose from their transfer to respective points of greatest demand (R.M.II, I, p.402, c.f. 67, vol.1, p.431). However, Paine, on occasions before 1790, also expressed the opposing mercantilist view of the benefits of trade, according to which the gain to any one party consisted in his acquisition of specie at the expense of other parties, thus putting into direct opposition the interests of trading nations (P.R, II, p.640). He might have mentioned this view because of America's need to accumulate enough specie to pay national war debts, and, also, because he wanted to demonstrate that since their specie resources remained constant, the British, who accepted mercantilist ideas, did not benefit financially from their trade. However, at the same time, he understood the economic benefits of trade (ibid, pp.638-9) and furthermore, since he believed that the issue of paper money within a country should 'specie-backed, one benefit of trade was the specie-gain which allowed

stimulation of the economy by an increase of the currency. Paine appreciated in America that it was the wealth that circulated and not hoarded specie that constituted a true measure of the extent of the riches in a country (L.B.V, II, p.429). In believing as early as 1778 (S.A.L.I, II, pp.282-3) that the wealth of any community depended economically on the material well-being of all the members of the society, he was perhaps influenced by physiocratic ideas transmitted through Franklin. Moreover, he never endorsed the mercantilists' belief that economic strength was proportional to national power, or their protectionist policies of government regulation of trade and industry. Indeed, he urged maximum freedom of trade, for in such a condition it flourished best and contained the means of its own security (C.P.VII, I, p.153; A.J, I, p.613; R.M.II, I, p.403; L.A.C.VII, II, p.939).

Paine's "naive belief that although nations had to defend their own interests....rightly understood this did not mean antagonism or hostility between one nation and another" (195, p.25) has been criticised by Derry for its failure to take into account the adverse political effects of commerce and the economic causes of war (*ibid*, p.10 & p.25-7). However, while on the one hand Paine's realistic observation that foreign policies were in the long run directed by real national economic interest (P.R, II, pp.628-9, II, p.564) does not, as Aldridge suggested, support the belief that his "political views grew out of his economic ones" (73, p.122), Paine nevertheless believed that a mere opposition of interests did not provide any moral justification for overstepping the bounds of natural justice. The precepts of natural justice applied as much to relations between, as to relations within, societies, and "that which is good or bad character for an individual is good or bad character for a Nation" (II, p.1297). Paine believed with Rousseau that "there does not exist in nature" such a phenomenon as a "natural enemy" (C.P.VI, I, p.136, c.f. 64, p.9). Enmity was never perpetual, but simply a temporary result of accident, prejudice or temper, since, according to Paine's religious

assumptions, natural justice transcended the territorial and political boundaries of societies as did the natural laws of the ancient Stoic thinkers. It was what Cicero had said about a universally applicable and intelligible natural law that most impressed Paine in his writing - he repeated twice from De Republica the statement "there cannot....be one law now and another hereafter; but the same eternal immutable law comprehends all nations at all times, under one common Master and Governor of all - GOD" (E.GP, II, p.885). Stoicism and Deism held out in common the possibility of a harmoniously ordered and peaceful world, and Paine's theology, together with his philosophy of individual rights, was conceived by him as providing a sense of membership of a community of mankind, performing a role similar to that performed by the inner light for the members of small Quaker groups (7).

Paine's contrasting of the prejudiced dispositions of Britain with the liberality of thought of America was not merely propaganda; it was based on his idea of the influence of the nature and extent of the physical environment in conveying the principles and the spirit of God and His will, and in stimulating an imitation of Him in social conduct. Britain "wants an expanded mind - a heart which embraces the universe" (L.R, II, p.255), but "perhaps there is something in the extent of countries, which, among the generality of people, insensibly communicates extension of the mind" (C.P.VIII, I, p.164). In contrast to the British, the inhabitants of the American continent, "by casting their eye over a larger field, take in likewise a larger intellectual circuit, and thus approaching nearer to an acquaintance with the universe, their atmosphere of thought is extended, and their liberality fills a wider space" (*ibid*). Science, through its influence upon beliefs and sentiments, was one agent of international understanding:

men who study any science the principles of which are universally known, or admitted, and applied without distinction to the common benefit of all countries, obtain thereby a larger share of philanthropy than those who only study national arts and improvements. (8).

In addition to an international scientific community which could exist even during times of war (II, p.40), and the exchanges of letters which "have in some measure made all mankind acquainted" (L.R, II, p.241), further agents of world peace were commerce and the joint pursuit of common objects. These activities tempered the minds of the participants, encouraged social co-operation and, so, understanding, and they imparted an awareness of some basic equality of men which, whether derived from abstract religious or from empirical sources, led to an appreciation of the universality of natural justice (9). Thus, as well as its direct influence for peace, commerce had an indirect influence through socialisation. Paine, rather than urge alteration merely in contemporary foreign politics, an uncertain and unstable "mere theoretical reformation" in manners and sentiments (R.m.II, I, p.400), commended commerce in Rights of Man II as a means to a more permanent change in popular beliefs about, and attitudes towards, foreign peoples:

There are many things which in themselves are neither morally good nor bad, but they are productive of consequences which are strongly marked with one or other of these characters. Thus commerce, though itself a moral nullity, has had considerable influence in tempering the human mind. It was the want of objects in the ancient world, which occasioned in them such a rude and perpetual turn for war....the introduction of commerce furnished the world with objects, which, in their extent, reach every man, and give him something to think about and something to do; by these his attention is mechanically drawn from the pursuits which a state of indolence and an unemployed mind occasioned.... (L.R, II, pp.241-2).

Paine's use of a mechanical analogy here, should not obscure his belief that what was produced by social contact and civilising pursuits was an organic, or evolutionary, change of temper and mind.

Improvements in relations between societies could, as in the case of the development of federalism, be built upon socialisation within societies

"there is a greater fitness in mankind to extend and complete the civilisation of nations with each other at this day, than there was to begin it with the unconnected individuals at first" (L.R, II, p.240). Paine remarked several times that, in practice, a rude state of nature existed between nations - "regulated by no fixed principle, governed by no compulsive law, and each does independently what it pleases or what it can" (*ibid*). Civilisation was incomplete, for governments were acting beyond the laws of God as well as of man (C.P.VII, p.146, R...II, I, p.399). What was required for the recognition of natural justice in international relations, and for the full, beneficial effects of commerce, science and letters, was the improved relationship between governments, and between societies, which would come from the establishment of republics in the place of the existing hereditary monarchs. "Man is not the enemy of man but through the medium of false systems of government" (R.M.I, I, p.343). This belief led Elie Halévy to consider that Paine "probably should be considered the original author, before Buckle and before Spencer, of the distinction between the two regimes, the military or the governmental and the commercial" (232, p.191), and it was because of this belief that Paine asserted that the real object of revolutions was a change in the moral condition of governments (R.M.II, I, p.400). He believed that the old régimes promoted popular ignorance and prejudices and so suspicions between as well as within societies, as one ostensible means of justifying high taxation and a strong central government, for national defence (A.F.Q, II, pp.529-30, R.M.II, I, p.399). Thus he saw war as "the art of conquering at home" (R.M.I, I, pp.283-4). A real lasting peace could only be achieved by the reform of popular attitudes, and the reform of government in such a way that it acted in accordance not only with the real interest of the people, but also with a proper understanding of national honour which consisted not in the glory of conquest and empire but, as was the case with the honour of individuals, in moral strength; justice and virtue (C.P.VII. I.p.147 P.P,II, p.256).

Just as Paine diverged from contemporary conceptions of honour, civilisation and, in Britain, constitutions, so he diverged in his own understanding of peace. Peace could not come about as a result of treaties between the old régimes (R.M.II, I, p.396 & pp.355-6, P.N.F, III, II, p.205).

Peace by treaty is only a cessation of violence for a reformation of sentiment. It is a substitute for a principle that is wanting and ever will be wanting till the idea of national honour be rightly understood. As individuals we profess ourselves Christians, but as nations we are heathens (C.P.VII, I, p.146).

To be at peace certainly implies more than barely a cessation of war. It is supposed to be occupied with advantages adequate to the trials of obtaining it. It is a state of prosperity as well as safety, and of honour as well as rest (P.N.R.II, II, p.190).

Thus, just as he rejected the principle of checks and balances of the Federalists' system of government, so he rejected the current conception of an international balance of powers based solely upon calculations of national self-interest, and mutual checks, which might be seen as a prescription of the Newtonian universe and which assumes complete rationality on the part of governments in formulating foreign policy without any sway by, for instance, national passions or any desire to promote a religious or ideological crusade. Paine might be likened to Bentham in his Plan for Universal Peace, 1789, in the belief that international peace would follow an alignment of interests between governors and governed within societies. But he did not envisage a natural identity of selfish interests between nations; he considered, rather, that foreign policies should be designed to further national economic interest only where that was in accordance with natural justice; and in this belief he was closer to Kant's view that representative government was essential for moral relations between societies (Essay on Perpetual Peace, 1795).

However, even with the establishment of republican governments, one further element was needed before peace could be assured. Just as the

representative principle had the advantage of allowing governments to be fitted to societies of differing extents, and at different levels, allowing provincial authorities to delegate certain powers to a national government, so it enabled national governments to delegate to an international institution the authority to reconcile international grievances between nations treated as moral equals. Although Conway claimed that Paine was the "first to advocate international arbitration" (76, p.63), Paine in fact referred in 1776 to the General Council of European states that was proposed by Rousseau, in A Lasting Peace through the Federation of Europe, 1761, as a means to international arbitration, which Paine saw as a "kind of European Republic" because it represented a compact of equal justice between the member countries (F.L.III, II, p.79). Paine suggested that monarchs could not be trusted to implement this proposal because they were not motivated by virtuous considerations, although in fact Rousseau appealed to the interest of the rulers to operate his scheme and it was the Abbé de St. Pierre who, in La Paix Perpetuelle, 1712, appealed to the real glory that could be gained by it. Thus Paine merely echoed Rousseau in stating that the old régimes were not pursuing their own real interests in conducting foreign policies that were contrary to the interests of their peoples. He later paid tribute to the suggestion attributed to Henry IV of France, in 1610, of a European Congress of national delegates as a standing court of arbitration (R.M.I, I, p.342), and in 1792 he intimated that the French National Assembly might propose a European convention for the adoption of "measures for the general welfare" (A.F.II, II, p.533), an example of which would be the agreement on armaments reductions which Paine continually put forward (L.R, II, p.262, R.M.II, I, p.417, p.419 & p.448). In the late 1790s he also canvassed among French and American diplomats his scheme for a Maritime Compact, first proposed by him in 1797 (II, pp.1401-2, 18th.F, II, pp.612-3, L.A.C.VII, II, pp.939-46). The Maritime Compact was an unarmed association of nations for the protection of rights at sea, it was a non-importation convention relying on

the force of collective economic sanctions against any country which contravened the law of nations at sea, which, according to Clark, was "the high point of Paine's belief in the existence of basic economic law and its power to govern the world" (95, p.lxvi). The export of articles of war by members of the association was to be prohibited at all times. Although Paine suggested in article XVIII of the Compact that a congress of members might confer upon further measures that could be adopted, he did not conceive of any international legislature, if only because a belief in the divinely-ordained nature of physical boundaries prevented him from envisaging the abolition of national territorial boundaries. The "Republic of the World" for which he called in a toast at the Revolution Society, on November 4th, 1791 (73, p.153), is, then, best seen as a peaceful world of republics; it did not have any great supra-national institutional significance.

Where Paine might be characterised as idealistic, however, is in his addition of an external element to the internal aspects of economic, social and political development which embraced the general American belief in an American mission. Although he saw political independence as the only way to lasting peace for America and for her preservation from European corruption, he did not see such independence in terms of isolationism or of unconcern for the affairs of Europe (10). If, as Paine believed, America had the good fortune to be the only society where the establishment of a republic could, in 1776, take place, and if it was republican reforms that gave value to political independence, then, as he maintained throughout his writings, America had a special national responsibility to uphold a model of republicanism as both politically and economically viable, to demonstrate the true nature of man and his potential, and to instruct, inspire and encourage republicanism elsewhere in the world. Paine welcomed the separation of America from Britain because it provided "the opportunity of 'beginning the world anew', as it were; and of bringing forward a 'new system' of government in which

the rights of 'all' men should be preserved that gave 'value' to independence" (L.A.C.VIII, II, p.956). Hence Conway believed that Paine's "love of his adopted country was not mere patriotism; he beheld in it the land of promise for all mankind" (76, p.94). In his early articles Paine stipulated that the first fruit of independence should be the abolition of the slave trade, and the emancipation, and the aiding, of negroes in America (A.S.A.II, pp.15-19, & II, p.20). While he criticised Britain for not having used her imperial power to civilise the world (C.P.II, I, p.66), he discussed the national responsibilities of the new American republic in Common Sense, since the "cause of America is in a great measure the cause of all mankind" (I, p.3), and especially, in Crisis Paper XIII written at the close of the war:

let but a nation conceive rightly of its character, and it will be chastely just in protecting it. None ever began with a fairer (character) than America and none can be under a greater obligation to preserve it (I, p.232).

To see it in our power to make a world happy - to teach mankind the art of being so - to exhibit, on the theatre of the universe a character hitherto unknown - and to have, as it were, a new creation entrusted to our hands, are honours that command reflection, and can neither be too highly estimated, nor too gratefully received (ibid., p.231).

For the purposes of this American mission, Paine advanced the need for a strong national union, and the importance of a just and virtuous conduct of foreign affairs (L.A.C.VI, II, p.933, C.P.XIII, I, pp.231-5), and of a stable, efficient and inexpensive representative government (II, pp.446-56 & pp.457-62).

One reason for Paine's disappointment with the degeneration of the French revolution was that he had hoped that, as a European country, France might be more likely than America to encourage reform elsewhere in Europe. Without anticipating the foreign interventionist proposals of the First Propagandist Decree, in Rights of Man II he invited France to call for a "European Congress to patronise the progress of free government, and

promote the civilisation of nations with each other" (I, p.344). For had the revolution "been conducted consistently with its principles there was once a good prospect of extending liberty throughout the greatest part of Europe" (II, p.1331, c.f.II, pp.538-40), although in fact, after 1792, France had only "alarmed all honest men" (81, p. 196). Thus Paine's continuing hope was that America would perform in the political sphere the role performed by God through His Creation, as the unmoved mover, in the moral sphere. Americans should be ever aware of their position and its responsibilities in the world; "A good opinion of ourselves is exceedingly necessary in private life, but absolutely necessary in public life, and of the utmost importance in supporting national character" (C.P.V, I, p.124). The criterion always to be remembered was that the "greatness of a people is.... based....in the people's sense of its own dignity" (R.M, II, pp.518-9). Only on considerations such as these could Americans enjoy the "true idea of a great nation....that which extends and promotes the principles of universal society; whose mind rises above the atmosphere of local thoughts, and considers mankind, of whatever nation or profession they may be, as the work of one Creator" (L.R, II, p.256), for "the true greatness of a nation is founded in the principles of humanity" (P.R, II, p.624). It was in this way that America could demonstrate Paine's overriding belief that "the felicity which liberty ensures us is transformed into virtue when we communicate its enjoyment to others" (A.F.Q, II, p.533).

Religion can be said to have had for Paine, an important influence on moral behaviour. The right to freedom of conscience did not excuse religious creeds which transgressed those basic precepts of natural justice which were maintained by the only true religion-Deism. After 1792 Paine saw that both religious and social revolutions should follow a political revolution, both as a matter of course consequent upon the liberalisation of thought, and as a matter of necessity if the political reforms were to be permanent and successful. His concern for social justice, as

opposed to social utility, developed as a response to changed social and economic environments in the 1790s, and was expressed in the form of combined taxation and welfare proposals which, although they widened the scope of government that he had earlier envisaged, were only extensions of, and were compatible with, the belief in natural rights which was a part of his idea of political justice. His ideas about international moral obligations and order followed logically from his ideas about human nature and justice. Only the moral change in the condition of governments which should follow a republican revolution, could allow the full operation of commerce to which Paine attributed significant direct and indirect moral influences, and the construction of institutions for the arbitration of international disputes.

NOTES AND REFERENCES TO CHAPTER FIVE

1. C.S, I, p.41, c.f.R.M.I, I, p.292.

In A Letter to Mr. E. skine Paine referred to the first annual report of the Theophilanthropist Society, in the foundation of which, in 1797, he was involved:

some persons....saw in the formation of a society open to the public an easy method of spreading moral religion and of leading by degrees great numbers to the knowledge thereof....This consideration ought of itself not to leave indifferent those persons who know that morality and religion, which is the most solid support thereof, are necessary to the maintenance of society, as well as to the happiness of the individual (II, p.746).

Paine considered that the priests of the old régime in France had failed as "patrons of morals" (ibid, p.762).

Before he first left England Paine attempted lay-preaching and he applied to be a clergyman, and he later called for a proper remuneration of the lower clergy in Britain (R.M.II, I, p.442).

2. The people's parliament finding that, under various pretences, grants of common land had been obtained by sundry persons, no ways to the benefit of the community, but very much to the distress of the poor, the same would be soon restored to the public, and the robbed peasant again enabled annually to supply his distressed family with an increased quantity of bread - Address of the London Corresponding Society to the People of England, August 6th, 1792 (18, vol.xxiv,p.1241).

I cannot form a calculation of the immense quantity of land, which within even the last twenty years, was common land, and is now become separate and enclosed, upon the faith of which enclosures, persons have laid out large sums of money in improvements and buildings - Reply to the Defence at the trial of Thomas Hardy, November 1794 (ibid, p.1242).

According to Kingsley Martin, in France during "the last ten years of the 'ancien régime'....the condition of the landless proletariat was the subject of numerous pamphlets and many reformers....at least talked as if they were socialists" (214, p.250). The Abbés Mably and Morellet, for instance, proposed that the state should be the sole employer in the nation, distributing the national product from a common fund according to the needs of each person. In England, Thomas Spence suggested land redistribution as early as 1775, in The Real

Rights of Man, republished in 1793, and then in The Restorer of Society to its Natural State, 1800, similar to William Ogilvie's An Essay on the Right of Property in Land, 1789. (Spence criticised Paine's Agrarian Justice as too moderate, in The Rights of Infants, 1797.)

3. The Preface to the Decree on Public Relief, of March 19th, 1793, stated:

"Society, in assuring its members of work, is authorised to forbid them any action which would deprive it of the labour that it has the right to require of them, and the consequences of which might affect the public order" (21, p.439).

According to Article XV: "Any distribution of bread or money at the doors of public or private houses, or in the streets, should cease as soon as the organisation of relief is in full operation. It shall be replaced by voluntary subscriptions, the product of which shall be applied to the relief fund of the canton...."

Article XVI:"A list of the income from subscriptions shall be posted every three months before the town hall of the canton seat (of administration), and proclaimed on the altar of the 'Patrie' on the days consecrated for national holidays" (ibid, p.441).

4. All Property, indeed, except the Savage's temporary Cabin, his Bow, his Matchcoat, and other little Acquisitions absolutely necessary for his Subsistence, seems to be the Creature of public convention. Hence the Public has the Right of Regulating Descents, and all other Conveyances of Property, and even of limiting the Quantity and the Use of it. All the Property that is necessary to a Man, for the conservation of the Individual and the Propagation of the Species, is his natural Right, which none can justly deprive him of. But all Property superfluous to such purposes is the Property of the Public, who, by their laws, have created it, and who may therefore by other laws dispose of it, whenever the Welfare of the Public shall demand such Disposition. He that does not like civil Society on these Terms, let him retire and live among savages. He can have no right to the benefits of Society, who will not pay his Club towards the Support of it (68, p.138).

5. A.J, I, p.619.

Paine urged property-owners to subject their wealth to certain laws and regulations not, as Dorfman argued, in order to secure at least part of it to them (118, pp.379-80), but, as Penniman said, because he

acted like some present-day reformers who attempt to persuade business men that it is to their own interest to have trade unions organised within their industries. The argument, whether valid or invalid, is not made out of any desire to aid business men but to aid labour (136, p.251).

For Paine, the possibility that a workman might not make good use of his rightful wage was no justification for another to appropriate it from him, but was rather a cause for making "society the treasurer to guard it for him in a common fund" which could be dispensed justly through various welfare schemes (A.J, I, p.620).

6. Jefferson was, according to Carl Becker -

a better judge of ends than of means....in respect to the means, the particular institutions by which these values and ideal aims may be realised, he was often at fault.... partly because he conceived of society as more static than it really is and partly because he conceived of American society as something that might remain predominantly agricultural and with relatively simple institutional devices be kept isolated in a relatively arcadian simplicity (173, p.701).

(Jefferson) was too much concerned with negative devices designed to obstruct the use of political power for bad ends and not sufficiently concerned with positive devices designed to make use of it for good ends....it is now clear that Jefferson's favourite doctrine of laissez-faire in respect to economic enterprise, and therefore in respect to political policy also, can no longer serve as a guiding principle for securing rights of men to life, liberty, and the pursuit of happiness (ibid, p.702).

Clark believed that Paine's commercial background "does much to explain why he could never be a true agrarian" (95, p.lx), but his reason for saying this was his view that Agrarian Justice was "no more now less than the plea of the rising commercial class in the latter part of the eighteenth century for the right of free endeavour against the feudal system of property ownership" (ibid, p.lxxxviii).

7. Paine's ideas discussed here and above in chapter one, sections three and four, can be compared with the following account of Stoicism by Benn and Peters:

....with the breakdown of the autonomous city states and the consequent decline in the importance of man's duty as a citizen the notion developed of a universal system of rules binding on all men in virtue of their nature as rational beings. The Stoics, who were the first to formulate this conception of natural law with explicitness, spoke of men as citizens of the world as well as of a particular state. As rational beings men occupied a cosmic status and were equal, whatever their civic status; and as rational beings they could not doubt that contracts ought to be kept, life and property respected, and that justice should prevail between men. These were the sorts of rules that could be justified in any society whatsoever....the characteristic of a moral rule is that it should be regarded as universally applicable and rationally acceptable to the individual (222, p.27).

According to Echevarria, in "the eighteenth century cultural nationalism was still unknown and there existed in its place a spirit of genuine cosmopolitanism which had created a supra-national philosophical state that ignored political boundaries" (212, p.53).

8.National philosophy, mathematics and astronomy, carry the mind from the country to the creation, and give it a fitness suited to the extent. It was not Newton's honour, neither could it be his pride, that he was an Englishman, but that he was a philosopher: the heavens had liberated him from the prejudices of an island, and science had expanded his soul as boundless as his studies (C.P. VIII, I, p.164).

The philosopher of one country sees not an enemy in the philosopher of another; he takes his seat in the temple of science, and asks not who sits besides him (L.R, II, p.241).

Science, the partisan of no country, but the beneficent patroness of all, has liberally opened a temple where all may meet (*ibid*).

9. See reference to Rights of Man I (I, p.275) on p.121 above.

Paine, perhaps following the colonists' comparison of the British Empire with the Roman Empire in its liberty at the centre and tyranny in the provinces, said that although the ancients had the spirit of liberty, they did not understand its principles, because, although "determined^{not} to be slaves themselves, they used their power to enslave others"(C.P.V, I, p.123). Paine would have endorsed Tocqueville's remark about Cicero's condemnation of the crucifixion of Roman citizens and acquiescence in cruelty to conquered peoples; "It is evident that in his eyes a barbarian did not belong to the same human race as a Roman" (69, p.435, c.f.*ibid*, pp.433-4).

10. Jefferson proclaimed in his 'Inaugural Address', March 4th, 1801:

"peace, commerce and honest friendship with all nations, entangling alliances with none" (26, p.234). This policy was to be a continuing one for Americans, extending from, for instance, John Adams's Plan of Treaties, 1776, and President Washington's 'Farewell Address' of 1796, to the 'Monroe doctrine' put before Congress by President Monroe on December 2nd, 1823.

CHAPTER SIX "

AN IDEA OF PROGRESS

Although Paine did not produce any works specifically devoted to a discussion of progress, several implications for an idea of progress can be drawn from the exposition of his thought that has been given so far. Moreover, if it is the case that there are some similarities between Paine's thought and the ideas of the thinkers of the eighteenth-century enlightenment, then it might be expected that Paine would have shared in some degree the overriding belief in the improvement of mankind that was held by many of his American, and in particular French, contemporaries.

The questions to be discussed are the significance of Paine's religious presuppositions for a belief in progress (section 1), the significance of Paine's remark "we live to improve, or we live in vain" (A.R.II, I, p.536), (Section 2), and how far Paine adhered to current views about the perfectibility of man (section 3).

1. God, Human Nature and Progress

Paine believed in one God whose benevolence was indicated by His having created mankind in His own image; who, contrary to the idea of a Fall, had commanded man to be fruitful and to multiply and have dominion over the earth. God made nothing in vain; He desired man to make full use of his several abilities and of all the gifts in the creation (R.M.I, I, p.274; L.E, II, p.731; R.L, II, p.765; E.P, II, p.889). Thus the origin of man could be pointed to in order to suggest the potential which individuals could attempt to fulfil. God had placed man at the earthly summit of the chain of being, for which position he was uniquely fitted by his endowment of conscience, reason and sympathy (1). Furthermore, man had the free will to make of himself what he would, for his will, unlike his power, was

infinitely variable. Paine regarded as blasphemous the Calvinist belief that God treated the creation as clay, for "there is no comparison between the souls of men and vessels made of clay.... The vessels, or the clay they are made of, are insensible of honour or dishonour. They neither suffer nor enjoy" (II, p.896), and the Calvinist idea of predestination had "a direct tendency to demoralise mankind" (II, p.850).

Paine was characteristic of enlightenment thought in his rejection of the notion that man occupied a fixed place in a chain of being which was a static and unchangeable, in favour of an evolutionary conception of the chain according to which all men, by their own efforts, could improve their existing lot. Arthur Lovejoy, who believed that "Next to the word 'Nature', the 'Great Chain of Being' was the sacred phrase of the eighteenth century" (235, p.184), considered that:

one of the principal happenings in eighteenth century thought was the temporalising of the Chain of Being. The plenum formarum came to be conceived by some, not as the inventory but as the programme of nature, which is being carried out gradually (ibid., p.244).

In accordance with this, Paine disagreed with what was called by Isaac Kramnick the 'Tory Cosmology' (199, p.101), which allotted to man a place in the fixed order which, to Paine, was derogatory to the Creation and, so, to the Creator. He could not accept the self-doubting nature which Pope, for instance, attached to man in his Essay on Man, and he dissented from the Tory counsel of resigned acceptance of man's fixed condition and the accompanying disparagement of aspiration as the sin of pride, since he believed that the better nature of man could predominate if he were sensible of his honour and dignity (2). Paine did not so much elevate human rational capacities as deny the abstruse sophistication of moral truths and reason; man only discovered and applied, but did not create, the cosmic principles, and he was exceeded in each faculty of power by some other creature (A.R.II, I, p.591). Paine was aware that Copernicus had demonstrated that the earth was not the centre of the universe, and

he stated that the cosmos was not founded solely for the instruction of man (A.R.I, I, p.503). But while Edmund Burke and John Adams recommended the study of oneself, in order to realise one's personal limitations, Paine proposed natural philosophy, the true theology, not out of pride, but as the means to cosmic modesty and to gratitude to, and imitation of, God, as the only means to the fulfilment of God's will. It was immorality that resulted from man being -

taught to consider himself as an outlaw, as an outcast, as a beggar....as one thrown....at an immense distance from the Creator....

....his humility is ingratitude,....he despises the choicest gift of God to man, the GIFT OF REASON (A.R.I, I, p.482).

Paine's message then, was; "If man must preach, let him preach something that is edifying, and from texts that are known to be true" (A.R.II, I, p.604).

2. The Constituents of Progress

Because Paine's view of the potential of human nature and society was derived largely from observation compounded with an assumption of God's benevolence, and was expressed in opposition to the Tory philosophy, and because his view was not rooted in a postulated external aim or ideal, his idea of progress was one of continuing improvement in several, mundane variables. Progress was not a movement towards a single, fixed and overriding religious, moral or material goal which could be divined by certain wise or enlightened men.

The constituents of progress can be extrapolated from Paine's total thought, and progress might be seen, in the first instance, as an extension, not so much of scientific knowledge and principles, as of the progressive commonsense mode of thought to moral, social and political inquiry, judgment, and activity. Simplicity, for instance, was described by Paine as perfection (P.P, II, p.812) and he said that man "must go back to nature for information" (R.M.II, I, p.354), although this return to first principles in thought was essentially a forward-looking exercise, in so far as it

provided the only sound basis for all progress: "He did not propose, let it be emphasised again, a going back to nature for anything but first principles to apply to men's thinking" (123, p.196, c.f. 246, pp.227-8).

A means to, and a constituent of, improvement for individuals was an increase in natural philosophy, not only in formal education, but also as a life-long awareness and contemplation of the nature and origins of the Creation, which enabled both a continuing and deeper reaffirmation, rather than sudden revelation, of morality, and an inspiration to the imitation of God (3). The spread of Deism, and the individual's concern with a developed conscience, would proceed together, leading to an assertion of the social over the selfish aspects of human nature. The character which could result was typified, according to Paine and to several contemporary Frenchmen, by Benjamin Franklin. What Paine admired most about Franklin was not his scientific talents, nor his frugality and prudence, but the conduct of his life in the light of the true theology, "devoted to the good and improvement of man" (II, p.897). Franklin was not exceeded by any man in "the principles of honour and honesty" (O.R., II, p.999); he was, in fact, "not the diplomatist of a court, but of a man" (R.M.I., I, p.300). Consequently Franklin had achieved contentment; "Those who knew" him "will recall that his mind was ever young, his temper ever serene.... He was never without an object" (A.R.II, I, p.551, c.f.42, pp.39-59). An increase in the attention that man paid to a continuing self-education would "improve him in knowledge useful to himself as a man and as a member of society" as well as in his religious and moral consciousness (A.R.II, I, p.603). He would also be able to approach Condorcet's ideal -

everyone will have the knowledge necessary to conduct himself in the ordinary affairs of life and according to the light of his own reason, to preserve his mind free from prejudice, to understand his rights, and to exercise them in accordance with his conscience and his creed, in which everyone will become able, through the development of his faculties, to find the means of providing for his needs (4).

However the fulfilment of the individual's potential character and happiness could, by God's design, only be achieved in society, through

the development of justice and order, so that, for instance, each person performed the social role which most suited his interests and abilities. "Nature, in the arrangement of mankind, has fitted some for every service in life" (C.P.III, I, p.90, c.f. M.A, II, pp.1112-3). Peaceful relations could be extended on the widest possible international scale; according to J.B.Bury, the idea of Adam Smith, adhered to by Paine, "that the free commercial intercourse of all the peoples of the world, unfettered by government policies, was to the greatest advantage of each, presented an ideal of the economic solidarity of the race which was one element in the ideal of progress" (224, p.221). But progress towards order and harmony did not imply for Paine the emergence of a static society, for motion was an essential to the preservation of society as was the revolution of the planets to the stability of the solar system (B.G, II, pp.752-3). Paine accepted the principle of plenitude, or the full realisation of the possibilities suggested by the idea of a perfect source and a plenum formarum, which was revealed to him in natural history (A.R.I, I, p.500). But one aspect of this was, in contrast to the simplicity and regularity that was revealed by natural philosophy, the profusion and variety of interests and pursuits which he recognised in human activity (D.G, II, p.371) and which were exemplified in the growth of population, geographical exploitation, and an ethic of activity. Paine even specifically upheld a variety of ways of honouring and pleasing God through benevolent deeds (R.M.I, I, p.292, R.M.II, I, p.452).

Paine's divergence from cultural primitivism is seen in one of the effects he attributed to natural philosophy - increased knowledge of cosmic principles and their application to the development of natural resources and the mastery of the physical environment. His response to America as a land of vast resources and a people of practical outlook, epitomised by his statement: "Improvement and the world will expire together: and till that period arrives, we may plunder the mine, but

we can never exhaust it!", was not based on hedonistic ideas (M.A., II, p.1111). It derived in part from the humanitarian aim of increasing the basic aids to ease and security of life. The attention he paid to inventions such as a smokeless candle, the wheelbarrow, the crane, and, above all, his pier-less iron bridge, and his investigation into the cause of yellow fever, were all aimed at the alleviation, rather than the adornment, of life. Besides repeating Franklin's words "Books are written to please, houses built for great men, churches for priests, but no bridges for the people" (9, p.30), Paine mentioned "several great improvements and undertakings....of a public benefit" which government could help to finance, and all of which concerned communications (D.G, II, p.413, c.f.73, p.265). His purpose was, secondly, the religious one of showing gratitude to God, and fulfilling His intent, by exercising the labour and knowledge required for the realisation of the potential riches of the creation; "it is a sin to refuse the bounties of nature" (3, vol. xiv, p.565, c.f. C.P.V,I, p.119 & I, p.182). He experimented with gunpowder, for instance, from the belief that it must have been created for some practical peaceful purpose (II, p.1048).

Economic progress, then, as a beneficial consequence of political liberalisation and the dissolution of deference to custom, habit and tradition, would not lead to the predominance of material acquisitiveness over moral values as the criterion of social respect, and would not become an all-consuming personal end; man's "mind would increase in gratitude as it increased in knowledge; his religion or his worship would become united with his improvement as a man" (A.R.I, p.602). "The Bible of the creation is inexhaustible in texts. Every part of science....is a text as well for devotion as for philosophy - for gratitude as for human improvement" (ibid, p.604). "The mind becomes at once enlightened and serene, a copy of the scene it beholds; information and adoration go hand in hand, and all the social faculties become enlarged" (5). Paine was indeed a member of the Jeffersonian circle of which Daniel Boorstin said:

The history of human progress....was thus the history of the condition of man. Man's condition could and would be improved. But under American circumstances it was hard to distinguish improvement from expansion, progress from enlargement. The final extent of human expansion on this continent was indefinable, though of course not unlimited.... The assignment which man found in America was less the attainment of any specific destination, than simple and effective activity (144, p.255, c.f. 163, p.96).

The assignment was to "vindicate the human species and even in a sense the Creator Himself. The American example would help disprove the heresy that man was incapable of self-government, or that God had made man in wrath" (*ibid.*, pp.228-9). Thus the progressive implications of Paine's religious beliefs and humanitarian aims were initially drawn out by the general American confidence which was a response to the reality of the continent's potential; "It was the first great opportunity in modern times for men who had the accumulated culture, techniques and mistakes of Europe behind them, to show the prosperity and effectiveness of the species in a rich, a vast and an unspoiled environment" (*ibid.*, p.240). "There still seemed no inconsistency between Christian morality and the practical work of man in America" (*ibid.*, p.245, c.f. 160, p.146).

Paine's rejection of chronological primitivism is demonstrated by his attitude towards the great improvements in the science of government which he believed could take place under a liberalisation of inquiry and debate based on the constitutionalism which he saw as America's greatest contribution to political thought. (R.M.I, I, p.299, p.272). His interest in constitutional developments was kindled by his introduction to America at a time of constitutional reform in state and national conventions, but his optimism about the future of the science of government was inspired by the French preoccupations with constitutional matters during 1789-93. "The best constitution that could now be devised, consistent with the condition of the present moment, may be far short

of that excellence which a few years may afford" (6). An increasing awareness and understanding of rights, political education and experience, and changes of demographic, economic and international circumstances should lead, through the machinery for constitutional amendment, to orderly development of governmental forms and organisation.

It is perhaps impossible to establish anything that combines principle with opinion and practice, which the progress of circumstances through a length of years will not in some measure derange or render inconsistent; and therefore, to prevent inconveniences accumulating, till they discourage re-formations or provoke revolutions, it is best to regulate them as they occur (7).

Instances of such improvements were the adaptation of governments to expanding societies, and to socio-economic change, and the rationalisation and simplification of the government mechanism which aided public accountability which, when simplicity is seen as a matter of order and cost-efficiency, was compatible with increasing and more detailed governmental functions. (8). Paine, on lines similar to those of Bentham in Fragment on Government (1776), suggested periodic review of legislation as well as of constitutions, and the repealing of whatever was obsolete, although not for reasons of rationality alone, but also in order to promote a popular understanding of the laws and thus the preservation of liberty (L.A.A, II, pp.508-9 , R.M.II, I, p.396). Not only Paine's suspicion of lawyers, but also his idea of improvement is suggested by his remark;

while every other branch of science is brought within some commodious system, and the study of it simplified by easy methods, the laws take the contrary course, and become every year more complicated, entangled, confused and obscure (L.A.A, II, p.509).

3. Progress and Perfectibility

The discussion in section two of Paine's ideas of the constituent elements of progress, throws doubt upon the belief that he was "a revolutionist who could never become an evolutionist" (104, p.7). How true is the common belief about Paine characterised by the suggestions: he

"found....the faith that science lights the way to progress and perfectibility" (113, p.85), his "doctrine was imbued with the eighteenth century rationalists belief in the infinite perfectibility of man" (103, p.85, c.f, 97, p.117)?

Given Paine's presuppositions and his views on human nature, progress in the variables discussed above could be continuous once a republican government and society were established. In the early years of the French revolution he came to share the optimism of some French enlightenment thinkers in the progress of knowledge and reason, (R.M.I, I, p.320), and in an interdependence between the various fields of thought and action which furthered a multi-dimensional progress in moral and social behaviour, in political attitudes and institutions (212, p.67). Furthermore, popular enlightenment secured the preservation of the freedom which was essential to it, although a belief in this interconnection had been held by the American colonists also. However, one might ask whether Paine's assertions about progress, around 1791, constituted a reasoned idea of perfectibility, or perhaps represented no more than an outlook acquired in response to the contemporary climate of opinion in France. Aldridge in particular has suggested that Paine's idealism was fostered by his contact with ideologues such as Condorcet, in the early 1790s, although he did not conclusively demonstrate that Paine adopted their faith in perfectibility (73, p.150, c.f. 167, pp.60-1, p.65).

Paine's beliefs conformed to the preliminary conditions which J.B.Bury considered were necessary if the idea of progress was to take root (224, pp.64-6). First, the classical societies must no longer be seen as unsurpassable in their intellectual achievements, and secondly, if an assumption was to be made that knowledge would continually progress, science must be held to be based on the sure foundations of immutable laws of nature. However, Paine accepted the impossibility of a perfect

understanding even of the small part of the wisdom and power of God that was made manifest in the creation (A.R.I, I, p.473 & p.486); his disbelief in the perfectibility of human nature is also suggested by various occasional remarks as well as by the absence in his writings of any evidence to the contrary (C.C.R, II, p.276). He would not have accepted Bury's definition of the idea of progress, as the belief that "civilisation has moved, is moving, and will move in a desirable direction" (224, p.2), not only because, for him, the progress of civilisation had been temporarily arrested, but also because he did not endorse the idea that progress in the future was certain because inevitable. He did not, in fact, hold the doctrine of perfectibility that was popular among philosophes such as Condorcet, in his 'Esquisse'; "Toutes ces observations....ne prouvent-elles pas que la bonne morale de l'homme, résultat nécessaire de son organisation, est, comme toutes les autres facultés, susceptible d'un perfectionnement indéfini" (36, p.274),...."la perfectibilité de l'homme est indéfinie" (ibid, p.281, c.f.pp.282-3 & 21, p.347).

The philosophes based their idea of perfectibility upon the sensationalist psychology that had been put forward, in particular by John Locke and Condillac. According to this, human nature was, by itself, neither good nor bad since the mind and character were initially a 'tabula rasa' which received all knowledge from, and formed all ideas on the basis of, sense impressions from the environment. Consequently, the rational organisation of the environment by legislation, and education, held unlimited possibilities for the moral and intellectual development of individuals and for the improvement of society as a whole (213, p.58, 214, p.222). One implication of this theory was that "political progress took place from the top down, and was the organisation of society in the light of principles in the possession of a few enlightened men". (213, p.61). Institutional change was thus the panacea for all social ills, since where the old régimes corrupted society, new regimes could regenerate it.

However, no satisfactory explanation was given of how the enlightened few achieved their state of mind independently of the pre-existing environment. Paine, for instance, cannot have held consistently the two contrary beliefs ascribed to him by Elder; first that, because of sensationalist psychology, bad institutions alone were responsible for social evils, and, secondly, that the social and physical environment, under the control of rational man, shaped institutions (97, pp.63-4, p.69). Instead, as was explained in chapters two and three above, government for Paine only provided a framework within which continuing progress through the self-directed pursuits of individuals was made possible. He did not need to accept the idea of some mysterious revelation of truths to what subsequently became a benevolent ruling elite which could impose unity and prosperity on society (9). Furthermore, his conception of the place of reason and knowledge might be seen to contrast with the belief of the philosophes, and of Godwin, in a direct connection between the intellect and morality, between reason and virtue, and between the accumulation of knowledge and social progress.

Ignorance was man's only limitation....and science offered unlimited possibilities. The Abbé de Saint-Pierre had assumed that reason and science could perfect society. Condillac seemed to have proved it....the 'philosophes'... believed they could demonstrate scientifically that knowledge was the key to happiness, and that it was sufficient to enlighten men to make them perfect (214, p.123).

For Paine held to conditions of progress other than the two suggested by Bury; that were the dissolution of popular credulity, and the willingness to exercise the sociable, and better, aspects of human nature (L.R, II, p.242). More important, then, than knowledge itself, was the attitude and approach to knowledge and, of more importance than factual, scientific, or technical information as such, was the religious and moral understanding that was gained through natural theology. These considerations about the nature of, and attitude towards, knowledge, form a wider condition of progress than that suggested by Bury - that knowledge should be seen

to be subservient to practical human needs (224, p.66). Consequently, on Paine's account of man, institutional reform and knowledge could not by themselves ensure progress, and a faith in perfectibility could never be assumed.

The full significance of some general characteristics of Paine's writings can now be seen, in the light of his belief that, although God was benevolent, His gifts to human nature, like all natural resources, had to be appreciated and worked upon if their worth was to be realised. Thus, Paine's professed aim in political writing was not only to supply knowledge to the ignorant, or to reason against error, although these were important, (L.A.A, II, p.488, & II, p.456), but also to "give man an elevated sense of his own character" (E.P, II, p.850), and to provoke him to reflection. One product of these intentions was the occasionally intemperate tone of Paine's writings, since -

The idea that man must be governed by effigy and show, and that superstitious reverence was necessary to establish authority, had so benumbed the reasoning faculties of men that some bold exertion was necessary to shock them to reflection (II, p.683, c.f, L.A.C, IV, II, p.928).

Besides his use of examples such as America in order to erode popular doubts and to inspire confidence, one further aspect of Paine's propagandist intention was the spirit of optimism which pervaded his writings. This was not a derivative of an idea of perfectibility, but was essentially a means of generating a climate of opinion most conducive to reform and progress, in an atmosphere which can be illustrated by Schilling's account of the Tory, who "allows himself to be defeated by the realities of life, which in turn follow from the realities of weak and corrupt human nature" (204, p.59).

The more reality is studied by the conservative cast of mind, the less hope there is of overcoming the obstacles to improvement, the more acceptance there is of what seems inevitable. Reality compels acceptance of itself by force, and the realist is willing to compromise with the way things are and to hope for very little change to the better.... His own disillusionment and sad bowing to stubborn fact are in turn part of that reality..

Hopeful change is prevented by admitting the presence of the evils against which the change is invoked; the admission forbids improvement by giving as its reason the nature of reality, the way things and men actually are, which will go on as before no matter what is done to outward arrangements (10).

Moreover, once it is accepted that it was Paine's hope and intention to exercise the influence that has generally been attributed to his writings, and that he was concerned not so much with conveying new political knowledge as with stimulating popular self-awareness, reflection, and, so, political demands, then it becomes untenable to maintain that for Paine it was only after institutional reform that human improvement could take place. Consequently Sursey-Bray's belief, - that Paine upheld the idea of perfectibility because the "ethical strength with which he endowed his theory of government, his concept of natural law, gave him an optimistic but unjustifiable faith in its universal capacity for improving society" (103, p.136, see p.93 above) - might be questioned, in the light of his own assessment of Paine's importance on lines similar to those followed by G.D.H.Cole and E.P.Thompson (pp.6-7 above):

Not only did Paine bring political consciousness to the masses, he also brought them a positive political identity, an individual identity based on individual rights, and a new-found sense of dignity as rational beings, equal with all others (103, pp.94-5, c.f.ibid, pp.76-98).

Thus institutional reform was not the pathway to perfectibility for, although the political and social institutions which prevailed in Europe in the eighteenth century were seen by Paine to have significant detrimental influence upon society, the establishment and maintenance of institutional reforms were more dependent on, than they were automatically responsible for, changes in the attitudes of people towards themselves and changes in their beliefs about government and society. Progress was, then, neither necessary nor certain, and Paine revealed his acquaintance with the concerns of Commonwealthmen and colonists alike in his doubts about the permanence of political awareness in America. Consequently it has been more correctly said :

a major impulse motivating his thinking....closely allied to his humanitarianism (was the belief that) A deep-seated inertia, pervading both individuals and nations, is 'eternally' threatening the liberty and happiness which is by nature man's. Man must....learn to assert and re-assert his natural rights....that purpose which was to lie in the background of so much of his writing - to keep mankind aware of the principle of natural rights (93, pp.xviii-xix).

Thus, it is only now that we can fully appreciate the significance of Paine's defence of Louis XVI against proposals for his execution, in the light of his belief about the relation between power on the one hand, and popular values and activities on the other hand, that was well expressed in an address to the people written by his friend Volney:

It is yourselves that cause the evils of which you complain; it is you that encourage tyrants by a base flattery of their power....by converting obedience into servility....and receiving every imposition with credulity. Can you think of punishing upon them the errors of your own ignorance, and selfishness? (72, p.313).

Paine's own criticisms of popular ignorance, prejudice, and superstition were at one with the belief that men were qualified to be free only in proportion as they apprehended their own rights and preferred the engagements of an active and liberal mind to indolence and the delusive hopes of a safety purchased by submission (c.f, 42, p.266).

The possibilities for future progress that Paine expressed in his writings were, then, based neither on a philosophy of history nor on an idea of perfectibility derived from a deterministic account of human nature. Instead, we find in Paine aspirations which were grounded in a somewhat teleological view of the potential of mankind which followed from certain religious assumptions, and which responded to the mood of Paine's immediate social environment. For this reason, although he never became disillusioned with his principles, because his adherence to these was based not on their success in regenerating society but on a moral theory, his attitude towards progress varied with the changing circumstances. Although he wrote Rights of Man during the early years of the French revolution, Paine indicated that he conceived of it

not only as a defence, against Burke, of political reforms in France, but also as an antidote to what he believed were backward constitutional and political movements in America (L.A.C.I, II, pp.909 & II, p.1320). The straight-line, linear account of progress that was held by the philosophes has been contrasted by Metzgar with an interpretation of Paine as a believer in the continuing progress of world civilisation, in combination with the life-cycle analogy applied to the development of individual societies that can be found in Bolingbroke's Patriot King (102, pp.10-13). Although this account of Paine can remain only hypothetical, since he did not discuss the idea of progress directly, it coheres with an acceptance of the colonist's belief, based on the experience of ancient empires, that only the preservation of a popular spirit of virtue could prolong political freedom, although not indefinitely (11). A denial of the possibility of indefinite progress of individual societies also coheres with what can be seen as analogies in Paine's writings - the cosmic universe, whose balance demanded motion between, but not a continued development of, the parts (E.G, II, pp.752-3), and natural history which -

acts always by renewed successions, and never by accumulating additions perpetually progressing. Animals and vegetables, men and trees, have existed since the world began; but that existence has been carried on by successions of generations, and not by continuing the same men and the same trees (D.F, II, p.666).

It may be concluded, then, that Paine's religious assumptions and views about human nature provided the grounds for his specific, if diverse, conceptions of what constituted the continuing, interconnected progress of individuals, society and government which could take place only within a republic. Such progress could be said to involve a fulfilling of the potential of man in society, and, thus, of the will of God. Paine did not, however, endorse the beliefs in necessary and infinite progress that are contained in the idea of perfectibility, because his attitude towards actual progress was based ultimately not on science but on desire, and as such, it constituted what he would have called a faith.

NOTES AND REFERENCES TO CHAPTER SIX

1. Paine's acquaintance with the idea of a chain of being ("how numerous are the degrees and how immense is the difference of power, from a mite to a man", E.G., II, p.754) might have derived from, for instance, Pope's Essay on Man, 1773-4, James Thomson's The Seasons, 1730, or Joseph Addison's The Spectator, apart from Bolingbroke, and Oliver Goldsmith who gave the philosophical idea of the chain a literal and practical application to natural history. In 1775 Paine requested from Franklin, Goldsmith's History of the Earth and Animated Nature, 1774, extracts from which were published in the Pennsylvania Magazine of September 1775. Goldsmith and Paine's philosophical teachers in London saw man to be at the earthly summit of the chain.
2. "In Pride, in reas'ning Pride, our error lies;
All quit their sphere, and rush into the skies (Epistle I, 38, p.244)

to reason right is to submit (ibid, p.245)

The bliss of Man (could Pride that blessing find)
Is not to act or think beyond mankind (ibid, p.246)

All Nature is but Art, unknown to thee;
All Chance, Direction, which thou canst not see;
All Discord, Harmony, not understood;
All partial Evil, universal Good;
And, spite of Pride, in erring Reason's spite,
One truth is clear, 'Whatever is, is RIGHT' (ibid, p.249)

Know then thyself, presume not to God to scan;
The proper study of Mankind is Man,
Plac'd on this isthmus of a middle state,
A being darkly wise, and rudely great:
With too much knowledge for the Sceptic side,
With too much weakness for the Stoic's pride,
He hangs between; in doubt to act, or rest,
In doubt to deem himself a God, or Beast;
In doubt his Mind or Body to prefer,
Born but to die, and reas'ning but to err (Epistle II, 38, p.250)

Trace science then, with Modesty thy guide;
First strip of all her equipage of Pride' (ibid, p.251)

Tell (for You can) what is it to be wise?
'Tis but to know how little can be known (Epistle IV, 38, p.275)
3. See above, pp.53-4.

4. Free translation of Condorcet's 'Esquisse', 36, p.252, c.f. ibid,p.273.

Paine said that "Man is but a learner all his lifetime", (II, p.676),
for,

As to the learning that any person gains from school education, it serves only, like a small capital, to put him in a way of beginning learning for himself afterward.

Every person of learning is finally his own teacher, the reason of which is that principles, being a distinct quality to circumstances, cannot be impressed upon the memory; their place of mental residence is the understanding and they are never so lasting as when they begin by conception (A.R.II, I, p.497).

Paine remarked of his early employments; "there I derived considerable information, indeed I have seldom passed five minutes of my life, however circumstanced, in which I did not acquire some knowledge" (83, pp.16-17).

See also p.241 above.

5. E.G, II, p.750. See also pp. 53-4 above.

Paine attributed his ideas about a pier-less iron bridge to observation of the spider's web and bird quills. (II, p.1032 & II, pp.1044-5).

He wrote with pride, in 1790, "I am always discovering some new faculty in myself, either good or bad" (9, p.29), and he believed that a

"happy mind" was one that was occupied with several, varied objects (II, p.1465), and was "nourished" with "abundance" (L.A, II, p.1438).

The American Philosophical Society for Promoting Useful Knowledge, of which Paine was a member, was suggested by Franklin in 1743, and was intended to conduct "all philosophical experiments that let light into the Nature of Things, tend to increase the Power of Man over Matter, and multiply the convenience of Pleasures of Life" (144, p.10). The preface to the first volume of the Society's Transactions emphasised the avoidance of merely speculative knowledge, in order to "confine their disquisitions principally to such subjects as tend to the improvement of the country, and advancement of its interest and prosperity" (ibid,p.11).

According to Stow Persons, the basic feature of American enlightened

thought was

the awareness of man's relationship to nature in the form of the peculiar American environment. The activist individualism inherited from the religious mentality of the seventeenth century now received a practical and secular expression in several new disciplines designed to master nature, and to smooth and to regularise the relationships of man with man. The political, economic, and social thought of the American Enlightenment assumed man to be an active animal possessed of reason and spirit, whose peculiar capacity it was to exploit his natural environment for his greater comfort and happiness (163, p.73).

6. R.M.II, I, p.396, c.f, A.F.Q, II, p.531, R.M.I, I, p.343, R.M.II, I, p.397.

Paine was a member of the Society for Political Inquiries, established at Philadelphia in 1787, the preamble to the rules and regulations of which stated:

the arduous and complicated science of government has been generally left to the care of practical politicians, or the speculations of individual theorists....it is now proposed to establish a society for mutual improvement in the knowledge of government, and for the advancement of political science (II, pp.41-2).

Contrary to the claims of Conway (76, p.92), and Foner (1, II, p.41),

there is no evidence that it was Paine who wrote the preamble.

7. R.M.II, I, p.396, c.f, ibid, pp.395-7, R.M.I, I, p.254 & p.343; A.D, II, p.536 & L.A.A, II, p.485.

8. "There has been great progress in the science of government, and particularly where the state has wide extension" (A.F.Q, II, p.528). See Paine's account of federalism, pp. 105-7 & 152 above, and his reference in Agrarian Justice to the development of ideas of social justice (I, p.606).

Gibbens believed that "Paine may have meant to advocate that to perform any set of functions, however complicated, the best form was the simplest, which might be in itself, however, rather complex" (173, p.195). See p. 28 and pp.89-90 above.

9. See chapter two, sections one and three, and p.148 above.

10. 204, p.60

See pp. 94-6 above, and references to Mannheim (p.190 above) and Derry (p.139 above).

11. See 163, pp.122-33, for an account of this colonial belief, along with the idea, used by Paine in his arguments for independence, that the colonies had attained some degree of maturity by 1776. See also P.R, II, p.634, and Paine's repeated lament on the fall of the American Republic (L.W, II, p.694; II, p.1276 & pp.1348-9), the reasons for which can be found on p.135 above, and in, for instance, II, p.1395 and 4, p.381.

CONCLUSION

The general account of Paine's social and political thought that has been given would seem to suggest that there can be found in his writings a system of ideas which, because not immediately apparent, has not been fully recognised. By reference to the full system of his ideas it is possible to clarify some problems and inconsistencies in previous accounts of his thought and to elaborate some neglected aspects of it.

The ultimate basis of Paine's thought, although it was made obvious only after 1792, was his belief in the existence of a benevolent God, upon which were founded ~~from which he derived~~ to a large extent his views on human nature and justice. When the Quaker and Deist interpretations are examined against the background of these views, some limitations of those interpretations are exposed.

Attention has been drawn to the optimistic belief, which Paine explained in the 1790s, in an indirect beneficial relationship between natural philosophy and moral behaviour which enabled the pursuit of interest to be restrained within the bounds of justice, and to a degree of short-sightedness in his unwillingness to consider that appeals to interest and to duty might sometimes conflict.

Paine's account of mankind as composed of discrete individuals whose interrelations could be founded not so much on emotional and spiritual bonds as on a common belief in God and in the moral equality of men, has been shown to have suggested to him a possibility of international harmony and peace. His failure to appreciate the inadequacy of these ideas in the face of the complexities of actual societies may relate to the fact that he was unusual in his own lack of personal and family ties after 1774, of local, national, and cultural loyalties, and of material, or other, ambitions; and it may also relate to the fact that,

although he did not always adhere in practice to the principles and the spirit of morality that he recommended in general, he was, nevertheless, unusual in his apparent concern for the welfare of mankind. He said that he regarded "the whole human race as his own family" (A.F.Q, II, p.521); "Independence is my happiness, and I view things as they are, without regard to place or persons; my country is the world and my religion is to do good" (R.M.II, I, pp.413-4). Consequently, as Adkins said; "In any study of the mans political and social thinking, we must....regard him above all as a lover of mankind" (93, p.ix), and when one reflects upon the satisfaction and pride which Paine seemed to derive from his public activities (S.A.L.I, II, p.279, L.A.C.IV, II, p.928, c.f.II,p.1151 & p.1218), Kenyon appears to be right in holding that; "For him it was fulfilment, not sacrifice or compromise, to act always in accordance with the general welfare. He would have been the ideal citizen in Rousseau's ideal state" (127, p.1097).

It has been shown that for Paine a government was always needed in order to provide a balance of justice and liberty in society, but its coercive aspect should not be stressed, and attention should be paid to equal rights and to the direct and indirect influences of government on the governed. Thus his model of a republic is seen to involve more than merely the absence of hereditary monarchy; a republic was founded in a moral compact between the citizens, and was governed by the aim of public good.

It has been shown that Paine's conception of a republican citizen enabled him, in spite of the exceptionally wide application he insisted on giving to the ideal of basic human equality, to reconcile that ideal with the practical necessity of majority rule. The reconciliation was also helped by the fact that he differed from many Americans about governmental organisation because his idea of republican society was not just that of an aggregate of self-interested individuals. At the

same time, however, he was well aware that because any form of government involves the existence of offices and office holders, the tendency to misuse authority could arise even under republican government and safeguards are therefore necessary. For this reason Paine was an unusually strong advocate of constitutionalism.

The popular version of Paine as a prophet of disorder, destruction and revolution, has been questioned, for as Aldridge said, "Paine's concepts were revolutionary for his time, it is true, but they also rested on an appeal to a sense of permanence, of the absolute nature of things" (73, p.322). The moral, and not the scientific character of Paine's first principles could justify certain political revolutions since he sought "Government founded on a moral theory, on a system of universal peace, on the indefeasible hereditary rights of man" (R.M.II, I, p.356). The universality of these principles helps to explain the contrast between his awareness in general of the need to establish qualifications for republicanism, and his failure to consider adequately the nature of specific circumstances when endorsing revolution as a matter of necessity.

The analysis of Paine's thought on revolution led to an account of his ideas about the true civil society that could follow the establishment of a republican political system. He saw important roles in society for religion and education, and, under the stimulus provided by changed social and economic environments, he developed, in the 1790s, ideas of social justice which were relatively novel for his time. These ideas were reached, not through the abandonment of a belief in the natural identification of interests, or by the adoption of social utility as the moral aim, but by more extended application of his basic ideas of justice, and, specifically, of equal natural rights. Consequently, although Paine came to advocate social welfare proposals that were inconsistent with his earlier minimisation of the role of government, he did not regard these proposals as incompatible with his continued opposition to large-

scale government, the rationale of which was the alleged baseness of human nature.

Paine's ideas on progress can then be elucidated from the foregoing overall account of his thought. He was neither a chronological nor a cultural primitivist. His idea of progress derived ultimately from his religious premises, and was one in which it was seen as the fulfilment of God's will through the self-willed realisation, rather than development, of the better elements of the characters of individuals in society. Such progress was not achieved by political manipulation of society, or to any great extent through political participation, but essentially by individual awareness of the nature of God and of the self, which precluded the determinism of a doctrine of perfectibility.

A final reassessment of Paine's thought suggests that although he was not a great political or social thinker, he had much more than merely "a remarkable talent for reproducing the spirit of the times and summarising public opinion" (79,p.13). He may not always have been entirely consistent between his general beliefs on the one hand, and his particular opinions and attitudes on the other hand, but he had a considered, and not wholly unoriginal system of thought which was responsible for, and was not the product of, the nature and extent of his self-appointed role of propagandist. This conclusion becomes evident however, only when his complete writings are studied in relation to one another, and much of the misinterpretation, confusion and misrepresentation that have been dealt with have arisen precisely because the complete writings and the connection between them have been to such an extent neglected.

APPENDIX ADATE-CHART OF PAINE'S ACTIVITIES AND OF SOME CONTEMPORARY EVENTSDATE

- 1737 January 29th. Thomas Paine was born at Thetford, Norfolk, England. He received a Quaker education until aged thirteen.
- 1750 Employed by his Father as a Staymaker.
- 1757 In London, where he attended science lectures and became acquainted with others interested in science.
- 1759 Married Mary Lambert.
- 1760 Death of his wife.
- 1762-5 An Officer of the Excise. He was discharged for irregular exercise of duties.
(1765: Stamp Act relating to the American Colonies).
- 1766-7 Paine a teacher in London, he considered becoming a clergyman, and perhaps met Joseph Priestly and the poet Oliver Goldsmith.
(1766: Repeal of the Stamp Act, succeeded by the Declaratory Act).
- 1768 Paine was restored to the Excise, at Lewes. He was a vigorous 'Whig', at a local debating club, and wrote verse.
(1768-70s: Public discontent in England over Ministerial corruption of Parliament. Controversies over John Wilkes, 'The North Britain' and the 'Junius Letters').
- 1771 Paine remarried (Elizabeth Ollive) and acquired a tobacconists shop.
- 1772 He tried to interest members of Parliament in the financial plight of Excisemen.
- 1773 He became interested in 'Systems of Government'.
- 1774 April: Discharged from the Excise for absence from duty.
June: He separated from his wife and was bankrupted. He was introduced to Benjamin Franklin in London and was interested in his electrical experiments.
November 30th: Paine arrived in Philadelphia. Franklin's letter of introduction secured several social contacts. Paine wrote 'African Slavery in America'.
(1770s: Creation of inter-colonial committees of correspondence in America).
(1774: Coercive Acts of Parliament against the Colonies).
September 5th - October 26th: First Continental Congress met at Philadelphia, and by October 14th produced a Declaration of Rights and an agreement on economic blockade, and set up local executive committees).
(October 26th: A resolution of John Adams denied the right of Parliamentary control).
- 1775 January-July (?): Paine was a successful editor of the Pennsylvania Magazine. Interested in practical science and mathematics, he became acquainted with scientific and radical members of the American Philosophical Society, including Benjamin Rush and David Rittenhouse.
(April 19th: Battles of Lexington and Concord).
(May 10th: Second Continental Congress began and, without legal authority, exercised supreme power in the Colonies until 1787).
(July 12th: Franklin's Articles of Confederation showed that he favoured independence).

- October: Paine had already completed an outline of Common Sense and had nearly finished the first part.
- 1776 January 10th: Publication of Common Sense. Paine renounced any profit from its sale. He associated with leading patriots - John and Samuel Adams, R.H. Lee and Franklin, and with radicals of the Whig Democratic Party who wished to revise the State constitution.
- (April 6th: Congress declared American commerce open to the world, a virtual declaration of independence).
- (May 15th: Congress resolved that all Colonial authority under the Crown be suppressed, and that all authority be exercised in the name of the people. This began a period of intensive State constitution-making).
- (July 4th: Congress adopted the Declaration of Independence document).
- August: Paine joined the continental army and became friendly with George Washington.
- (September: Pennsylvania adopted a 'radical' State Constitution).
- December 19th: Publication of the first Crisis Paper.
- 1777 January-March: Paine visited the western frontier as secretary to a commission negotiating with Indians.
- April 1st: He was elected to the committee of correspondence of the Pennsylvania Whig Party, and on April 17th was elected by Congress as Secretary of the Committee of Foreign Affairs.
- June: His first expression of a continuing intention to write a history of the revolution.
- (November 11th: Articles of Confederation was adopted by Congress).
- 1778 Paine, by request, publicly defended the Pennsylvania Constitution against attack.
- 1778-9. He participated in the controversy over the Silas Deane affair, to prevent the public being imposed upon, and became interested in steam navigation.
- (February: Treaty of Franco-American Alliance).
- 1779 January 8th: Paine resigned as Secretary to the Committee of Foreign Affairs, following an indiscretion in the 'Silas Deane Affair'.
- May: He was appointed to two committees instigated by citizens' meetings to investigate profiteers and monopolists in Pennsylvania, and to suggest remedies for price inflation.
- November: He was appointed clerk to Pennsylvania State Assembly, and ceased his radical activities.
- 1780 July 4th: Paine received the Degree of M.A. from the University of Pennsylvania. He helped to initiate what became the Bank of North America, in order to bring private credit to the aid of the revolutionary cause.
- He became increasingly associated with wealthy State conservatives such as Robert Morris.
- November: Paine was already writing about Raynals' The Revolution in America.
- September: He contemplated going to Britain to spread the American cause.
- 1781 February: He hoped to start his own newspaper, but instead went with Henry Laurens on an official visit to Paris to seek aid for America.
- (March: Articles of Confederation were adopted, creating a weak national government).
- August 25th: Paine returned to America, having met Franklin and probably, Turgot in France.

- 1782-3 At the request of conservatives, he called for State remittance of taxes to Congress, for extended Congressional powers, and for stronger national union.
(April 16th, 1783: American Independence, and Peace).
December: The French Ambassador paid Paine for having upheld Franco-American relations.
- 1784-7 Paine devoted his time to scientific work, especially his iron bridge, and maintained contact with Franklin. He sought, and was granted, rewards for his past services to America.
1785, January 22nd: Elected to the American Philosophical Society, having been mysteriously refused in 1781.
- 1786 He defended the Bank of North America against State Radicals.
- 1787 April 26th: Paine became a founder of the Society for Political Inquiries.
He left for France to submit a model of his iron bridge to the Academy of Science, and his friends, Franklin, Thomas Jefferson and the Marquis de Lafayette introduced him to minor 'philosophes' such as the Abbe Morellet, Jean-Baptiste le Roy, the Duc de la Rochefoucauld, Philip Mazzei and Quesnay.
August 30th: Paine left for England to seek to interest the Royal Society in his bridge and to seek to foster Anglo-French friendship. He visited the Whig leader the Marquis of Lansdowne, and possibly Edmund Burke.
(September: The constitutional convention at Philadelphia produced a Federal constitution, upheld in the Federalist Papers).
December: Paine briefly visited Paris, and discussed constitutional matters with Jefferson and Lafayette.
- 1788 June/July: He returned to England where he mixed with leading Whigs - Lansdowne, Burke, the Duke of Portland, Lord Fitzwilliam, Lord Stanhope, Sir George Staunton, Charles James Fox, and also with several radicals - Horne Tooke, Thomas Walker and Benjamin Vaughan.
October: He supported the Whigs against the plan of the Prime Minister, Pitt, on the Regency issue, and he called for a National Convention for Britain. His main interest was the supervision of the construction of his bridge.
(September 25th: Louis XVI called the States-General, for 1789, and the Parlement instructed that it be composed of the three traditional orders.)
February: Paine expressed sympathy with Irish discontent, suggested that he be made the official American representative in England, and stated his pleasure at political developments in France.
Summer: He paid a brief visit to Paris.
(March-April: States-General was elected and met on May 3rd).
(June 17th: The Third Estate declared itself the National Assembly, becoming in effect a constituent Assembly).
(July 14th: Fall of the Bastille).
(August 4th: Decrees abolished feudalism).
(August 26th: The Declaration of Rights of Man and Citizen, prepared by Lafayette, was adopted by the Assembly).
October: Paine returned to Paris, and made the acquaintance of Condorcet and the 'Cercle Social'. He advised Burke to popularise the French reforms, and was honoured by Lafayette with the key to the Bastille which was to be sent to George Washington.
(October 5th: Louis signed the Declaration of Rights of Man and citizen).
(November 2nd: The National Assembly appropriated Church Estates).

1790

January: Paine was preparing a history of the French Revolution.

(February 5th and 9th: Burke attacked the French developments in the House of Commons).

March: Paine returned to England to reply to Burke's promised publication. He mixed with Whigs, including Burke, with Richard Price, and with members of the Royal Society.

(March: A Parliamentary Bill for the repeal of the Test and Corporation Acts was defeated, as had occurred in March 1787 and May 1789).

(1790: A relatively quiet year in France).

Autumn: Paine made a brief visit to Paris, and expressed an oft-repeated wish to return soon to America.

(November 1st: Burke's Reflections on the Revolution in France was published).

Paine wrote Rights of Man Part I.

1791

March 13th: Rights of Man I was published by Jordan after initial difficulties.

Between March 7th and April 17th, Paine left for France where he formed a 'Société Républicaine' with Condorcet and four others.

(June 20th: Flight of the Royal Family to Varennes, followed by their popular recall on June 25th. In America, 'Publicola' replied to Rights of Man, but Jefferson sought for Paine a post in Washington's cabinet).

July: Paine helped Condorcet to found the journal Le Républicain and placarded Paris with his Republican Manifesto.

July 13th: He returned to England, having written on the proposed French Constitution. He associated with the French and American ambassadors, and through the 'Revolution' and 'Constitution' Societies, with the reformers Horne Tooke, William Godwin, Joseph Priestly, Thomas Christie, Thomas Brand Hollis and Thomas Holcroft. He intended to visit Ireland.

August: Paine's first remarks about social welfare in Address and Declaration.

September: He had already written most of Rights of Man Part II.

(September 13th: Louis signed the new constitution).

(October 1st: A Legislative Assembly succeeded the Constitutional Assembly).

(1791-5: Development in Britain of popular organisations for political reform).

1792

February: Rights of Man Part II was published after initial difficulties. Paine became an honorary member of the Society of United Irishmen, and attended several meetings of the London Society for Constitutional Information.

(March 21st: Royal Proclamation against seditious writings).

Paine's trial, set for June 8th, was postponed until December 18th.

(Summer: Beginning of a period of suppression of popular discontent in Britain).

Summer: Publication of Paine's Letter Addressed to the Addressers, calling for a National Convention, alienated from him some moderate reformers.

(1792: Food crisis in France).

(August 10th: The Paris Commune invaded the Tuileries and imprisoned Louis XVI).

September 13th: Paine left for France, having been granted French citizenship on August 26th, and elected to the Convention on September 6th.

(September 20th: The National Convention succeeded the legislative Assembly, and abolished Royalty in France on September 21st).

(September 22nd was declared as the first day of the French Republic).

October 11th: Paine was appointed to a nine-man committee to frame a new constitution, to which he submitted his own draft. He hoped to visit the Dutch.

Until June '93 he associated with a variety of French revolutionaries, including the Jacobins, Danton and Barère, and especially the more moderate Girondins, Brissot de Warville, Condorcet, de Bonneville, Pétion the Mayor of Paris, Mme. Roland, Vergniaud, and with the American poet Joel Barlow. Prompted by Lord Edward Fitzgerald, Paine sought French aid for an Irish revolution.

(November 20th: Discovery of secret Royal correspondence with Austria).

November-December: Paine's effigy burnt throughout England.

(December 10th: First Edinburgh Convention of the Delegates of the People).

December 18th: Paine was officially outlawed 'in absentia' at his trial in England.

1793

January 20th: Paine opposed the wish of the Convention that Louis be executed.

(February 1st: France declared war on Britain).

(March: The Convention passed social and economic decrees).

March: Paine's Le Siecle de la Raison was officially suppressed.

(April 6th: Formation of the Committee of Public Safety).

(April 15th: Petition to the Convention for the arrest of twenty-two Girondin Deputies).

(April: The Convention refused to act on the proposed constitution).

(June 2nd: Imprisonment of Girondin Deputies. Robespierre and the Jacobins gained control).

(June 24th: A new constitution was adopted and immediately suspended).

Paine ceased to attend the Convention, but he secured American food supplies for France. He intended to return to America by October.

(Autumn: Dechristianisation campaign).

December 28th: Paine was imprisoned, leaving The Age of Reason Part I for publication, and narrowly escaped execution.

(November-December: British Convention of the Delegates of the People, Associated to obtain Universal Suffrage and Annual Parliaments, was suppressed by the government).

1794

(May: Suspension of the Habeas Corpus Act in Britain).

(May 7th: A Convention Decree established Worship of the Supreme Being in France).

(June 6th: Publication in Britain of the Second Report of the Committee of Secrecy).

(July: Fall of Robespierre, and a reaction against Jacobins, was followed by a committee to prepare a new constitution).

(The Anglo-American Jay Treaty, and attitudes towards France, stimulated Federalist and Republican party development in America).

- November 4th: With his health impaired, Paine was released from prison, following the pleas of the new American ambassador, James Monroe, with whom he then stayed for eighteen months.
 (October-November: State Trials in Britain, and the unsuccessful prosecution of prominent radicals).
 (1794-5: Dutch revolution).
- 1795 Paine, recalled to the Convention, expressed dissatisfaction with the proposed constitution, especially in Dissertation on First Principles of Government which was initially written as a primer for the Dutch. He finished The Age of Reason Part II by September.
 (September 23rd: The Directory Constitution was made law.
 October 26th: The Convention was disbanded.)
 Winter 1795-6: Paine wrote Agrarian Justice against Babeuf's communistic 'Conspiracy of the Equals'.
- 1796 Apart from a concern about the Federalist Government in America, onwards. Paine's attention was now dominated by religious and moral questions.
 (December: The Treasonable Practices and Seditious Meetings Bill became law in England).
- 1797 January: Paine was involved in the Theophilanthropists Society and Constitution Club.
 March: He met the Irish Republicans Theobald Wolfe Tone and James Napper Tandy.
 April: He prepared a plan for unarmed neutrality of nations at sea.
 (September 4th: Anti-Royalist coup d'etat of the 18th Fructidor).
 December: Paine made suggestions for the invasion of England by France, and briefly enjoyed the favour of Napoleon Bonaparte.
 (The Alien and Sedition Laws, restricting freedom of speech were enforced in America).
- 1798 Paine continued his association with French, English and Irish republicans in Paris, including Constantin Volney and Mary Wollstonecraft.
 (November 9th: Coup of the 18th. Brumaire by Napoleon, and the termination of the 1795 Constitution, were followed by the adoption of the Napoleon-Sieyès Constitution on December 3rd).
 (Abortive Irish rebellion against British rule).
- 1799 November (?): Paine visited Belgium.
- 1800-1 He abandoned his journalism, under pressure from the French authorities, and resumed work on inventions.
- 1802 September 1st: He left for America where, on arrival on October 30th, he met general indifference and personal hostility because of his "Letter to George Washington", his Deism, and his radicalism, which were used by the Federalists to attack his friend, President Jefferson.
- 1802-9 Paine showed a continuing interest in; party politics and constitutional reform, the acquisition of Louisiana and national defence, and in freedom of the press and yellow fever. He aided Elihu Palmer's Deistic 'Theistic Society' and the journal The Propeet.
- 1809 June 8th: Paine died, and was buried at his farm, New Rochelle, New York, having been refused his request for a Quaker burial.

APPENDIX B

MAIN WRITINGS OF PAINE

The list below is set out chronologically, by date of first publication, but it does not include all publications or private correspondence. Further, Conway believed that some unpublished writings, including an autobiography, were destroyed in a fire at St. Louis (76, p.xi), and a contemporary of Paine, William Cobbett, mentioned an 'Essay on Aristocracy' and an 'Essay on the Character of Robespierre' written by Paine while he was in prison, but now lost (ibid, p.332).

Categorisation of Paine's writings must be somewhat arbitrary, given the composite nature of many of them, but an attempt is made in the list below which distinguishes between; (a) writings largely concerned with abstract ideas and principles, (b) writings having abstract significance but which arose from a local issue, and (c) writings chiefly concerned with an ephemeral topic, but which do not necessarily exclude a wider relevance.

PAINE IN ENGLAND

1772 Case of the Officers of Excise (c).

IN AMERICA

1775 Several scientific, humanitarian and political contributions to the Pennsylvania Magazine, under pseudonyms, and 'African Slavery in America'.

1776 January 10th: Common Sense Addressed to the Inhabitants of America (b).
 January: Epistle to the Quakers, added to the 2nd edition of Common Sense (c).
 April-May: Four 'Forester's Letters' (c).
 December 19th: First of the American Crisis Papers, followed by sixteen others (c).

1777 June 4th: 'Candid and Critical Remarks on a Letter signed Ludlow' (a).

1778 December 4th: Four articles entitled 'A Serious Address to the People of Pennsylvania on the Present Situation of their Affairs' (b).
 December 15th,- mid 1779: Many letters to the press on the Silas Deane Affair (c).

- 1777 June-July: Three articles 'Peace, and the Newfoundland Fisheries' (c).
- 1780 December 30th: Public Good (b).
- 1782 September: Letter to the Abbé Raynal, on the Affairs of North America (b).
December-February '83: Six letters 'To the Citizens of Rhode Island' (c).
- 1783 April 19th: Thirteenth Crisis Paper (c).
- 1785 December 21st-March '87: Ten letters 'On the Bank of North America' (c).
- 1786 February 18th: Dissertations on Government: The Affairs of the Bank; and Paper Money (b).

IN EUROPE

- 1787 December: Prospects on the Rubicon (c).
- 1788-9 Frequent private correspondence with Thomas Jefferson on politics and science (c).
- 1791 March 13th: Rights of Man Part I (b).
June: 'Letter to the Authors of Le Républicain' (a)
July 1st: Republican Manifesto (b).
July 16th: 'Letter to the Abbé Sieyès in Le Républicain' (a)
August 20th: Address and Declaration (c).
- 1792 February 17th: Rights of Man Part II (a)
May-July: 'Answer to Four Questions on the Legislative and Executive Powers' (a).
May-September: Several letters in defence of Rights of Man (c)
Summer: Letter Addressed to the Addressers on the late Proclamation (b).
October 20th: 'Anti-Monarchical Essay for the Use of New Republicans'.
November 21st: Convention Speech: On the Propriety of bringing Louis XVI to trial (c).
- 1793 January 15th: Convention Speech: Reasons for preserving the life of Louis Capet (b).
January 19th: Convention Speech: Should Louis have Respite? (c).
May 6th: Private letter to George Danton (c).
- 1794 Circa March: The Age of Reason Part I (a).
August-November: Several private letters to James Monroe (c).
- 1795 Early on: 'Observation on Jay's Treaty' (c).
June 6th: Private letter to A.C. Thibaudau (b).
July 7th: Convention Speech: The Constitution of 1795 (b).
Early July: Dissertation on First Principles of Government (a).
- 1796 January 1st: The Age of Reason Part II (a).
April 18th: Decline and Fall of the English System of Finance (b).
July 30th: 'Letter to George Washington' (c).

- 1797 January 16th: 'The Existence of God. A Discourse at the Society of Theophilanthropists' (a).
 July 13th: Letter to Camille Jordan: Worship and Church Bells (b).
 Late: Agrarian Justice (a).
 September: A Letter to Mr. Erskine (a).
 September 4th-November 12th: The Eighteenth Fructidor (b).
 September 30th: Private Letter to Talleyrand, containing a Maritime Compact (b).

1797-8 Letters to the French Press on the invasion of England (c).

1800-1 Frequent private correspondence with Thomas Jefferson (c).

IN AMERICA

- 1802 November-June '03: Eight letters 'To the Citizens of the United States ' (c).
- 1803 'An Essay on Dream' (a).
 Continuing letters to the American press (c).
- 1804 September 22nd: 'To the French Inhabitants of Louisiana' (c).
 Several letters to The Prospect, or Moral View of the World (c).
- 1805 January 25th: Private letter to Jefferson, concerning Louisiana (c).
 June 21st: Constitutions, Governments and Charters (a).
 August 31st, September 4th-7th: Constitutional Reform (a).
- 1806 June 27th: 'The Cause of Yellow Fever'.
 October 17th: 'A Challenge to the Federalists to Declare Their Principles' (c).
 October 19th: 'Liberty of the Press' (a).
- 1806-8 Frequent letters to the press on federalists, and national defence (c).
- 1807 An Examination of the Passages in the New Testament (c).
- 1810 'Reply to the Bishop of Llandoff' (b).
 'Origin of Freemasonry' (c).

APPENDIX CSUBJECT MATTER OF THE MAIN WRITINGS OF PAINE

- 1772 Case of the Officers of Excise, with Remarks on the Qualifications of Officers and on the Numerous Evils Arising to the Revenue from the Insufficiency of the Present Salary; Humbly Addressed to the Members of Both Houses of Parliament.
This was a reasoned address to Parliament, seeking better remuneration, and pointing to the vices caused by poverty.
- 1775 African Slavery in America.
A condemnation of negro slavery and the slave trade, on the grounds of justice and humanity.
- 1776 Common Sense, Addressed to the Inhabitants of America, on the following interesting subjects :
 - (1) Of the Origin and Design of Government in General, with concise Remarks on the English Constitution.
 - (2) Of Monarchy and Hereditary Succession.
 - (3) Thoughts on the Present State of American Affairs.
 - (4) Of the Present State of America with some miscellaneous Reflections.
The first half distinguished between Society and Government, discussed the origins of government, and condemned monarchism. The second half was a bold address to the colonists to declare independence of Britain, supported by a variety of reasons. Several points were raised that were to be expanded in later writings, such as ideas about a written constitution, constitutional conventions, and a belief in an American mission.
- 1776-83 The American Crisis Papers.
Published periodically throughout the War of Independence, these seventeen patriotic papers reiterated arguments against reconciliation with Britain, and exhorted revolutionary efforts. They reveal Paine's appreciation of considerations of social cohesion and public spirit, and his ideas on the aims of the war which extended beyond political independence for States, to a Republic of the United States.
- 1777 Candid and Critical Remarks on a letter signed Ludlow.
Paine's first discussions of what he understood by a Bill of Rights and a constitution.
- 1778 A Serious Address to the People of Pennsylvania on the Present Situation of Their Affairs.
Four articles defending the radical Pennsylvania State Constitution of 1776. They provide an important discussion of the criteria of well-constituted republican government, in terms of social attitudes and political institutions.
- 1780 Public Good; Being an Examination into the Claims of Virginia to the Vacant Western Territory, and of the Right of the United States to the Same; to which is Added Proposals for Laying off a New State, to be Applied as a Fund for Carrying on the War, or Redeeming the National Debt.
This denied the claims of the State of Virginia to vacant lands, and proposed the right of the United States to organise the territory into new States. Paine suggested a convention to frame a continental constitution for a stronger national government.

1782

Letter to the Abbé Raynal: On the Affairs of North America; in which the mistakes in the Abbé's Account of the Revolution of America are corrected and cleared up.

A justification to Europeans of the American revolution, against Raynal's assertion that it had no moral foundation. Paine stated that the colonists were opposing the principle of the Declaratory Act, and he upheld the Franco-American alliance. The letter also discussed progress in international civilisation.

Six letters to the Citizens of Rhode Island.

These letters advised Rhode Island to join the other States in accepting an import duty proposed by Congress to pay interest on foreign war loans. Paine showed a concern for equality of participation among States and social groups in a stronger national Union.

1783

Crisis Paper Thirteen.

Welcoming the end of the war, Paine called for strong national unity, preservation of national character, and fulfilment of international responsibilities.

1785-6

Dissertations on Government; The Affairs of the Bank; and Paper Money. Letters on the Bank.

A defence of the Bank of North America against the purpose of the Pennsylvania Assembly to repeal its charter in order to render a State issue of paper money acceptable. Paine argued that the Bank benefitted all members of the society, and he attacked the idea of paper money. Through a distinction between legislation and other public acts, he condemned the actions of the Assembly as contrary to both justice and the Constitution, and he elaborated, in particular, his fundamental ideas about the nature of the Social compact and the moral basis of a republic.

1787

Prospects on the Rubicon, or on Investigation into the Causes and Consequences of the Politics To be Agitated At the Next Meeting of Parliament.

Designed to foster better Franco-British relations, the article pointed to a divergence of interest and aims between European governments and peoples. Paper currency, and funded National Debt, were condemned.

1791

Rights of Man, Part I.-

This vindicated the character of the French Revolution against the account given by Edmund Burke, and discussed the implications of the idea of equal natural rights of man. Burke's ideas of a binding original contract, the rightfulness of hereditary government, and a necessary connection between Church and State, were all attacked. Paine contrasted the concept of constitutional government, and the French Declaration of Rights, with actualities of the British constitution.

Letter to the Authors of Le Républicain, Republican Manifesto, and Letter to the Abbé Siéyes.

Paine explained to the French his idea of republican government.

1791

Address and Declaration. At a Select meeting of the Friends of Universal Peace and Liberty.

Paine intimated the social improvements that should come about in Britain as the result of international peace secured by the revolution in France.

1792

Rights of Man, Part II.

A more explicit exposition of republican principles than was contained in Part I. Paine elaborated on the distinction between society and government, on the origin of government, and on the nature of a constitution. He attacked the British constitution in particular, contrasting representative with monarchical government, and introduced utilitarian considerations. Chapter Five, proposing a detailed programme of State-administered social welfare measures, shows a significant development in his thought.

Answer to Four Questions on the Legislative and Executive Powers.

A discussion of certain features of the proposed French constitution, including the idea of a simple unicameral legislature. He asserted that a constitution, once established, must be amendable in the light of projected progress in the science of government.

Letter Addressed to the Addressers on the Late Proclamation.

A defence of Rights of Man, urging the English people to call a constitutional convention and to create a republican government.

Anti-Monarchical Essay. For The Use of New Republicans.

A reiteration to the French of Paine's condemnation of monarchism, combined with an explanation of the deficiencies of monarchs by reference to the artificial nature of their lives.

1794

The Age of Reason. Being an Investigation of True and Fabulous Theology. Part I.

Paine's first published writing on religion, opening with his own profession of Deistical faith. He attacked the idea of written revelation of the word of God, and the mystical elements of Christianity. Appealing to reason and feelings, he suggested some evil moral and political effects of Christianity. He outlined the true theology as the study of the creation which was the word of God, which should inspire imitation.

1795

The Constitution of 1795. Speech to the French National Convention on July 7th, 1795.

Paine pointed out the incompatibility between the republican principles of the Declaration of Rights of Man and Citizen of 1789 and the property-based suffrage of the proposed 1795 constitution.

Dissertation on First Principles of Government.

A concentrated digest of Paine's essential ideas about hereditary and representative government, in relation to rights.

1796

The Age of Reason, Part II.

A closer textual criticism of the Bible than in Part I, designed to prove that it could not be the word of God. Part II is important in stressing the place of individual moral conscience, alongside a concise reiteration of Deist beliefs.

Decline and Fall of the English System of Finance.

An exposure of the funding system of finance, revealing Paine's idea of a law of increasing national debt and depreciation of paper money.

Letter to George Washington.

An attack on the personality of George Washington and a denunciation of the politics of his administration.

1797

The Existence of God; A Letter to Camille Jordan; On Worship and Church Bells; A Letter to Mr. Erskine; Prospect Papers; An Examination of the Passages in the New Testament, quoted from the Old, and called Prophecies concerning Jesus Christ; Extracts from a Reply to the Bishop of Llandaff.

Articles and letters continuing the themes of the Age of Reason, concerned in particular with the role of the Creation, as opposed to that of the Bible, in aiding moral conduct.

Agrarian Justice. To the Legislature and Executive Directory of the French Republic.

This pamphlet grappled with some moral, social and political consequences of land enclosures and industrial wealth, but it did not advocate a return to an agrarian society. It went beyond Chapter Five of Rights of Man II, in formulating a new application of natural rights philosophy, and a new principle of social productivity, as the bases for extensive State-administered social welfare measure.

The Eighteenth Fructidor. To the People of France and the French Armies.

Paine invoked the 'supreme Law of necessity' to defend the coup by which the French Directory maintained its power against a presumed royalist resurgence in the legislature.

1802

Letters to the Citizens of the United States, and Particularly to the Leaders of the Federal Faction.

Eight letters defending his own, and Jefferson's, republicanism against the politics of the Federalists.

1804

To the French Inhabitants of Louisiana.

A reasoned denial of the claims of the French inhabitants of the territory purchased by the United States, for full representative government and for immediate equality with other States in the Union.

1805

Constitutions, Governments and Charters.

This contained a revision of Paine's suggestion concerning the status of extraordinary legislation given in Dissertations on Government.

Constitutional Reform. To the Citizens of Pennsylvania on the Proposal for calling a Convention.

A restatement of Paine's ideas about constitutional, and also judicial, matters.

APPENDIX D *

A NOTE ON PAINE'S READING

An assumption common to most references to Paine in general works on literature and political thought, and to many students of him, has been that he was not a great reader of the historical, social or political writings of others. The Cambridge History of English Literature for instance, refers to "His immense ignorance of history and literature" (225, p.48). This belief, drawn from biographical knowledge and from the style of Paine's writings, is substantiated by Paine's own proclamation "I neither read books nor studied other people's opinions" (R.A.II, I, p.406), and from his denial in 1807 of having read in particular John Locke's Second Treatise on Civil Government (4, p.377). His misquotation, and consequent misunderstanding, of a part of Edmund Burke's Reflections on the Revolution in France, seem to indicate that his reading and outlook were limited and superficial (1). Hence, the statements by Moses Tyler: "of law, of political science, even of English and American history, he was ludicrously ignorant," (68, vol.I, p.462), and by Chester Maxey: "Paine had no great acquaintance with the literature of political thought" (238, p.390), were endorsed by Aldridge; "The fact is that Paine never was a reader of the works of other men....he knew little of other writing" (73, p.40).

However, the list of Paine's reading given below (pp. 302-4) indicates that some reassessment is perhaps needed, and this has been recognised by H.H.Clark (2). The list contains a variety of classical, historical, political, financial, religious, scientific and literary references, and Paine had ample opportunities to broaden his knowledge as editor of the Pennsylvania Magazine and as Secretary to the Congressional Committee on Foreign Affairs. While international travelling might have prevented him from being informed immediately on all current affairs, he was a keen reader of newspapers and journals which contained references to a wide range of topics. On visiting Paine at the time that he was preparing

Public Good, in 1780, the marquis de Chastellux recorded: "I discovered, at his apartments, all the attributes of a man of letters, a large table covered with books lying open and half-finished manuscripts" (33, p.16), and Paine was said by his contemporary, and hostile, biographer, George Chalmers, to have spent his time at Thetford in 1787 "wholly occupied in reading, and in writing" (74, p.16). Henry Redhead Yorke, visiting Paine in Paris in 1802, found his room full of pamphlets and journals, (81, p.189), and Paine's friend Thomas Rickman confirmed that he was "up to his knees in letters and papers of various descriptions" (80, p.135). Consequently, although Rickman remembered that around July 1791, Paine "read but little" (83, p.38), he also said, in December 1811, that Paine's "knowledge was universal and boundless" (*ibid*, p.xxiv), and several people who made Paine's acquaintance commented on the ordered nature of his exceptional memory (3).

Moreover, some implications of Paine's philosophy should be taken into account when pointing out the lack of extensive references in his writings. His egotism is evident in his statement that he did not read the works of others, but the rider "I thought for myself" (R.M.I, I, p.406) recalls his aim of stimulating others to reject prejudices, superstition, and deference to tradition, and instead to think for themselves. Although ostentatious references and quotations might make for less effective literary weapons than simplicity, clarity, and a certain 'vulgar style' (94), for the persuasion of the "common floor of citizenship" (L.A.C.I, II, p.912), Paine would also have rejected such weapons simply out of his belief that each person not only could, but should, arrive at his own convictions independently of external authorities. He saw the strength of his own writings as lying not in bibliographies, but in their appeal to, and apparent conformity with, the natural reason, feelings, and conscience of the individual, and, where necessary, in the stimulus to thought that was provided by a boldness of expression. His literary style embodied and reflected his philosophy, as is illustrated

by his condemnation of Cato, a critic who

shelters himself chiefly in quotations from other authors, without reasoning much on the matter himself; in answer to which, I present him with a string of maxims and reflections, drawn from the nature of things, without borrowing from anyone. Cato may observe, that I rarely ever quote; the reason is, I always think (F.L.III, II, p.78).

Paine believed that "Principles must stand on their own merits, and if they are good they certainly will" (R.M.II, I, p.349). It followed from this that "To put them under the shelter of other men's authority,.... serves to bring them into suspicion" (*idem*). A lack of references to other writings distinguished Paine's writings from those of the majority of colonial pamphleteers, who "liked to display authorities for their arguments, citing and quoting from them freely; at times their writings became submerged in annotation" (142, p.21). Those works which he specifically replied to, such as Burke's 'Reflections', were not treated to a detailed analysis and refutation but were used as a general background for bringing forward his own views and ideas. He believed that his writings should contain their own internal proof, just as he criticised the Bible on internal evidence. His method was an expression not so much of confidence in the educated intelligence of his readers, but rather of a belief in the essential simplicity of the issues, and this was probably further encouraged by his awareness of the impact made by Common Sense in bringing about a shift in colonial attitudes, and by his own undoubted rise to fame.

Although Paine was not a student in depth of the extensive literature of political thought that was available to him, it should be pointed out that concentration on this aspect of his background neglects the importance of his direct contact with political thinkers and activists in America, France and Britain (4). The eighteenth century was especially a period when many ideas were 'in the air', and Paine's career in the last quarter of the century afforded him frequent opportunities for accumulating knowledge from serious debates and casual discussions in a variety of

international social circles. Consequently, his awareness of the ideas of others, and their potential influence on him, cannot be denied merely by pointing to the limited extent of his reading; according to the Cambridge History of English Literature he "doubtless owed much to the debates and casual conversations in which he took part" (225, p.48): "He read a great deal, but it is doubtful whether reading determined his convictions. Rather he picked them up from the environment as he went along" (119, p.163).

However, the role of social contact in the generation of Paine's thought, and his characterisation of himself, in 1778, as a "farmer of thoughts", do not justify the conclusion that he acquired all of his ideas from other people (II, p.1143). Biographical evidence suggests that social contact served to provide stimulus for his own reflections, while most of his writing was the product of solitary concentration; he was an instance of those writers whose work was "always considered as the work of an individual, not that of a party" (j). Paine wrote to Jefferson after a discussion with him, in 1788; "I sat down to explain to myself (for there is such a thing) my Ideas of natural and civil rights, and the distinction between them. I send them to you to see how nearly we agree" (L.J, 3, vol.xiii, p.4). Paine's independence of mind is borne out by the conflicting ideas and philosophies, and the diverse social backgrounds, of those people with whom he mixed, and by his amicable, but fundamental, disagreements with serious-minded friends - such as Franklin, Condorcet and Brissot over unicameralism, and with Samuel Adams over religion (L.A, II, pp.1438-8). Jefferson's opinion, given in 1827, that Paine "thought more than he read" (57, p.18), should thus be seen as an expression of respect for his practical contributions to the political thought and debate of the time, rather than as a derogatory reference to the extent of his knowledge of the ideas of others. In writing to Paine in 1801, Jefferson said, "it will be your glory to have laboured, and with as much effect as any man living" (43, vol.viii, p.19).

NOTES AND REFERENCES TO APPENDIX D

1. Burke wrote in 'Reflections' :

Abstractly speaking, government as well as liberty, is good; yet could I, in common sense, ten years ago, have felicitated France on her enjoyment of a government, (for she then had a government), without inquiring what the nature of that government was, or how it was administered? (27, p.6).

According to Paine;

Mr. Burke appears to have no idea of principle when he is contemplating governments. 'Ten years ago', says he, 'I could have felicitated France on her having a government, without inquiring what the nature of that government was, or how it was administered' (R.M.I, I, p.258).

This misquotation, occasioned by Paine's haste in reading Burke's work, was pointed out by Fennessey (97, pp.162-3), and has been discussed by Strother Purdy (137, pp.373-5).

2. Clark concluded from a review of some philosophic, strategic and personal reasons for Paine's lack of extensive quotation of others, that "it would seem rather obvious that the paucity of other books cited could not be taken as valid evidence of the authors 'immense ignorance'." (114, p.313). Paine "was not quite-so ignorant of literary tradition as generally supposed" (ibid, p.315); of the "classical ancients", for instance, he "knew considerably more than has usually been suspected" (95, p.ciii). According to Richard Gummere, "Paine was a voracious reader and debater" (125, p.262).
3. Rickman, for instance, cited a remark made to Paine by an American girl, "that his head was like an orange - it had a separate compartment for everything it contained" (80, p.32).
4. See Appendix A, above, for reference to Paine's friends and acquaintances. Although his ability to read French was not great, and he was unable to speak it, the French circles in which Paine mixed were generally fluent in English.
5. 33. p.175. See also footnote 5 on page 160 above.

Paine's friend Benjamin Rush said that at the great gathering in

Philadelphia to celebrate the birth of the French Dauphin, in 1782, Paine "retired frequently from company to analyse his thoughts and to enjoy the repast of his own original ideas". (32, vol.I,p.280).

Paine, in a letter to Franklin in 1785, said, "I have often observed that by lending words for my thoughts I understand my thoughts better" (11, p.1025).

A LIST OF WRITINGS AND AUTHORS REFERRED TO IN PAINE'S WRITINGS

I. Up to 1787

(a) Specific Historical Writings .

Dr. William Robertson. History of the Reign of Emperor Charles V.
1770-4

Tobias Smollett. History of England. 1771

John Oldmixon. The British Empire in America. 1708

John Leland. History of Ireland. n.d

Sir Dalby Thomas. Historical Account of the rise and growth of
the West Indian Colonies. 1690

William Stith. History of Virginia. 1747

John Entick. A New Naval History. 1757

William Moore Smith. On the Fall of Empires. n.d

(b) Other Writings.

The Bible

James Burgh. Political Disquisitions. 1774-5

Robert Barclay. Address to Charles V. n.d

Richard Burns. Justice of the Peace. 1754

Giacinto Dragonetti. A Treatise on Virtues and Rewards. 1769

John Dalrymple. Memoirs of Great Britain and Ireland. 1771

Francis Grose. Antiquities of England and Wales. 1773

Oliver Goldsmith. History of the Earth and Animated Nature. 1774

Benjamin Franklin. The Way to Wealth. 1773

Henry Home (Lord Kames). Sketches of the History of Man. 1775

Dr. Samuel Johnson. Journey to the Western Isles. 1775

John Milton. Paradise Lost. 1667; First Defence of the People of
England. 1651

Dr. Richard Price. Observation on Natural and Civil Liberty. 1776

Joseph Priestly. Experiments and Observations on Different Kinds
of Air. 1774-7

Guillaume Raynal. The Revolution in America. 1781

J.J. Rousseau. Social Contract. 1762; A Lasting Peace Through
the Federation of Europe. 1761

The Spectator. 1711-14

(c) Relating to Current Affairs .

Junius Letters. 1769-72

British Parliamentary Debates and Committee Reports, e.g. Report
on the Select Committee on Indian Affairs. 1773

Annual, and Court, Registers.

English journals, e.g. Universal, Westminster, Gentlemen, London,
Town and Country, Covent Garden.

Monthly, and Critical, Reviews.

American Congressional Debates and Addresses, e.g. Declaration on
the Causes and Necessity of Taking up Arms, and Address to the People
of England. 1775

(d) Mentioned .

Real and Mythological Greek and Roman figures; William Blackstone.
Commentaries on the Laws of England. 1765-9; John Locke, Second
Treatise on Civil Government. 1690; Francis Hutcheson, System of
Moral Philosophy. 1755; Adam Ferguson, An Essay on the History of
Civil Society. 1767; Montesquieu, Spirit of the Laws. 1748;

James Durhan, The Law Unsealed as a Practical Exposition of the Ten Commandments, 1677; Richard Baxter, Christian Directory, 1673; Dr. George Wallace, The Nature and Descent of Ancient Peerages of Scotland, 1785; Thomas Jefferson, Notes on Virginia, 1784; Sidney, Coke, Hampden, Voltaire, Isaac Newton, Shakespeare, Swift, Gulliver's Travels; Sterne, Grey, Elegy; Gay, Beggars Opera; James Thomson, The Seasons, 1744; Cervantes, Don Quixote; Defoe, Robinson Crusoe.

II. 1787-93

(a) Specific Financial Writings

Jacques Necker. A Treatise on the Administration of the Finances of France. 1785
 George Chalmers. Treatise on English Finances. n.d
 Sir John Sinclair. History of the Revenue. 1785-90
Reports on the Corn Trade.
Commercial Atlas.
 Adam Smith. Wealth of Nations. 1776

(b) Other

Edmund Burke. Reflections on the Revolution in France. 1790, and Appeal from the New to the Old Whigs. 1791
 Giacinto Dragonetti. A Treatise on Virtues and Rewards. 1769
 Dr. Samuel Johnson. Taxation No Tyranny. 1775
 Richard Price. Observations on the Nature of Civil Liberty. 1776
 J.J. Rousseau. The Social Contract. 1762

(c) Mentioned

Queensay, Turgot, Voltaire, Montesquieu, Sièyes, Montaigne, Sully, Joel Barlow, Advice to the Privileged Orders, 1792; and Vision of Columbus. Bolingbroke, James Mackintosh, Vindiciae Gallicae, 1791; Swift, Bishop of Llandaff, J.Q. Adams, Letters of Publicola, John Bunyan, Pilgrims Progress.

III. 1793 onwards

(a) Specific Religious Writings

The Bible, Koran, Confucius, Zoroaster, Athanasius, Spinoza on ceremonies of the Jews.
 David Levi. A Defence of the Old Testament. 1792
 Bishop of Llandaff. An Apology for the Bible. 1763
 William Whiston. An Essay towards Restoring the True Texts of the Old Testament. 1722
 Newton, Bishop of Bristol. Dissertation on the Prophecies. 1754-8
 Dr. Conyers Middleton. Letter from Rome. 1729; A Vindication of the Free Inquiry into Miraculous Powers. 1751
 Robert Hall. Sermon on Modern Infidelity. n.d
 Nadia Boulanger. Life of Paul. 1770
 Samuel Pritchard. Masonry Dissected. 1730
Anne Religieuse des Theophilanthropists. 1797
 George Smith. The Use and Abuse of Freemasonry. 1783
 Henry Lord. A Display of Two Foreign Sects in the East Indies. 1630
 Elihu Palmer. Principles of Nature. 1801
 St. Augustine. City of God. 413.
 Joseph Addison. Nineteenth Psalm.

(b) Other

Benjamin Franklin. Autobiography, Part I. 1791; Way to Wealth 1773
 Richard Pope. Essay on Man. 1733-4
 Daniel Defoe. The True-born Englishman. 1700
 Thomas Jefferson. Inaugural Speech. 1801
 Cicero. Cato, or an Essay on Old Age. 1773 ed.
 John Adams. Thoughts on Government. 1776; A Defence of the Con-
 stitutions of the Government of the United States. 1787
Four Letters between Samuel and John Adams. 1802
 William Guthrie. A New Geographical, Historical and Commercial
 Grammar. 1771
 Aesop. Fables.
 William Blackstone. Commentaries on the Laws of England. 1765-9
 Edward Gibbon. Decline and Fall of the Roman Empire. 1776-88

(c) Mentioned

Edward Burke. A Philosophical Enquiry into the Origin of our Ideas
 of the Sublime and Beautiful. 1756; Winterbotham, History of
 America; Rapin, History of England; Swift, Solon, Socrates,
 Xenophon, Plato, Tacitus, Herodotus, Aristotle, Scaliger, Diogenes
 Laertius, Maimonides, John Locke, The Fundamental Constitutions of
 Carolina. 1669; Origen, Salmon, Geography; Babeuf, George Buchanan,
 History of Scotland, 1690; Cohnett, Newton, Descartes, Grotius,
 Bolingbroke.

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